

APPEAL,CAT B,INTERPRET

U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:16-cr-00065-BAH-1

Case title: USA v. GONZALEZ-VALENCIA

Date Filed: 04/19/2016

Assigned to: Judge Beryl A. Howell

Appeals court case number: 22-3048

Defendant (1)

GERARDO
GONZALEZ-VALENCIA

also known as

LALO

also known as

FLACO

also known as

SILVER

also known as

SILVERIO

also known as

EDUARDO

also known as

LALINE

represented by **Geoffrey H. Coll**
BROWN RUDNICK LLP
601 13th Street, NW
Suite 600
Washington, DC 20005
202-536-1736
Email: gcoll@brownrudnick.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stephen A. Best
BROWN RUDNICK, LLP
601 Thirteenth Street, NW
Suite 600
Washington, DC 20005
(202) 536-1737
Fax: (202) 536-1701
Email: sbest@brownrudnick.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

David Leighton Rosenthal
CONSOVOY MCCARTHY PLLC
1600 Wilson Blvd.
Suite 700
Arlington, VA 22209
(703) 243-9423
Email: david@consovoymccarthy.com
TERMINATED: 01/12/2022
Designation: Retained

G. Derek Andreson
BROWN RUDNICK LLP
601 Thirteenth Street, NW
Suite 600
Washington, DC 20005

202-536-1732
Email: dandreson@brownrudnick.com
TERMINATED: 05/20/2021
Designation: Retained

Lilly Ann Sanchez
THE LS LAW FIRM
Four Seasons Tower, Suite 1200
1441 Brickell Avenue
Miami, FL 33131
305-503-5503
Fax: 305-503-6801
Email: lsanchez@thelsfirm.com
ATTORNEY TO BE NOTICED
Designation: Pro Hac Vice

Natasha Ertzbischoff
BROWN RUDNICK LLP
7 Times Square
New York, NY 10036
212-209-4981
Email: nertzbischoff@brownrudnick.com
ATTORNEY TO BE NOTICED
Designation: Retained

Rachel O. Wolkinson
BROWN, RUDNICK, FREED & GESMER
601 13th Street, NW
Suite 600
Washington, DC 20005
(202) 536-1755
Email: rwolkinson@brownrudnick.com
ATTORNEY TO BE NOTICED
Designation: Retained

Tiffany Brook Lietz
BROWN RUDNICK LLP
7 Times Square
Ste Floor 47
New York, NY 10036
630-945-5445
Email: tlietz@brownrudnick.com
ATTORNEY TO BE NOTICED
Designation: Pro Hac Vice

Pending Counts

21:959(a), 960, and 963, and Title 18,
United States Code Section 2;
CONTROLLED SUBSTANCE –
IMPORTATION/EXPORTATION;
Conspiracy to Distribute 5 Kilograms

Disposition

Defendant sentenced to serve a term of life imprisonment; a \$100.00 special assessment imposed; imposition of a fine waived; money judgment in the amount of \$341,000,000 entered.

or more of Cocaine, and 500 Grams or
more of Methamphetamine, for
Importation into the United States.
(1)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

represented by **Kaitlin Julia Sahni**
U.S. DEPARTMENT OF JUSTICE
Narcotics and Dangerous Drug Section
145 N Street, NE
Second Floor, East Wing
Washington, DC 20530
(202) 598-2493
Fax: (202) 514-6112
Email: kaitlin.sahni@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Kate M. Naseef
U.S. DEPARTMENT OF JUSTICE
Criminal Division, Narcotic and
Dangerous Drug Section
45 N Street, NE
Washington, DC 20530
202-353-8810
Email: kate.naseef@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Kirk Kenneth Handrich
UNITED STATES DEPARTMENT OF
JUSTICE

Narcotic and Dangerous Drug Section
145 N St. NE, East Wing
Suite 2E300
Ste 2e1203
Washington, DC 20530
202-514-0422
Email: Kirk.Handrich@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

Amanda Nunn Liskamm
U.S. DEPARTMENT OF JUSTICE
Narcotics and Dangerous Drug Section
145 N Street, NE
Second Floor, East Wing
Washington, DC 20530
(202) 616-1576
Fax: (202) 514-0483
Email: amanda.liskamm@usdoj.gov
TERMINATED: 11/08/2022
Designation: Assistant U.S. Attorney

Brett Clarence Reynolds
DOJ-NSD
Criminal Division, Narcotic and
Dangerous Drug Section
950 Pennsylvania Avenue NW
Washington, DC 20530
202-598-2950
Email: brett.reynolds@usdoj.gov
TERMINATED: 11/08/2022
Designation: Assistant U.S. Attorney

Date Filed	#	Docket Text
04/19/2016	<u>1</u>	INDICTMENT as to GERARDO GONZALEZ-VALENCIA (1) count(s) 1. (FORFEITURE ALLEGATION.) (vt) (Entered: 04/20/2016)
04/21/2016	<u>2</u>	STANDING ORDER. Signed by Chief Judge Beryl A. Howell on 4/21/2016. (tg) (Entered: 04/21/2016)
08/03/2016	<u>3</u>	Case as to GERARDO GONZALEZ-VALENCIA directly reassigned to Calendar Committee as the defendant is a fugitive. Chief Judge Beryl A. Howell no longer assigned to the case. (ztnr) (Entered: 08/05/2016)
05/11/2020	<u>4</u>	NOTICE OF ATTORNEY APPEARANCE Kaitlin Julia Sahni appearing for USA. (Sahni, Kaitlin) (Entered: 05/11/2020)
05/14/2020	<u>5</u>	NOTICE OF ATTORNEY APPEARANCE Brett Clarence Reynolds appearing for USA. (Reynolds, Brett) (Entered: 05/14/2020)
05/14/2020		Arrest of GERARDO GONZALEZ-VALENCIA. (zpt) (Entered: 05/19/2020)

05/14/2020	<u>12</u>	Arrest Warrant Returned Executed on 5/14/2020 as to GERARDO GONZALEZ–VALENCIA. (zpt) (Entered: 05/19/2020)
05/15/2020	<u>7</u>	Case as to GERARDO GONZALEZ–VALENCIA directly reassigned to Chief Judge Beryl A. Howell as the defendant is no longer a fugitive. Calendar Committee is no longer assigned to the case. (rj) (Entered: 05/15/2020)
05/15/2020		ORAL MOTION to Appoint Counsel for the purposes of the Initial Appearance Hearing by GERARDO GONZALEZ–VALENCIA. (zpt) (Entered: 05/18/2020)
05/15/2020		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: Initial Appearance/Arraignment as to GERARDO GONZALEZ–VALENCIA (1) held on 5/15/2020 as to all counts. Oral Motion to Appoint Counsel for the purposes of the Initial Appearance/Arraignment by GERARDO GONZALEZ–VALENCIA (1) Heard and Granted. Not Guilty Plea entered by GERARDO GONZALEZ–VALENCIA (1) as to all counts. Consular notification rights given to the Defendant by the Government. Detention Hearing set for 5/20/2020 at 03:00 PM in Telephonic/VTC before Magistrate Judge G. Michael Harvey. Bond Status of Defendant: Defendant Committed/Commitment Issued; Court Reporter: Jeff Hook; Defense Attorney: David Bos for Stephen Best; US Attorney: Kaitlin Sahni and Brett Reynolds; Pretrial Officer: Masharia Holman; Spanish Interpreter: Teresa Salazaar; (zpt) Modified on 5/20/2020 (zpt). (Entered: 05/19/2020)
05/18/2020		NOTICE OF HEARING as to GERARDO GONZALEZ–VALENCIA. The parties shall take notice that a Status Hearing is scheduled for 5/19/2020, at 10:30 AM before Chief Judge Beryl A. Howell. (tg) (Entered: 05/18/2020)
05/18/2020	<u>8</u>	NOTICE OF ATTORNEY APPEARANCE: Stephen A. Best appearing for GERARDO GONZALEZ–VALENCIA (Best, Stephen) (Entered: 05/18/2020)
05/18/2020	<u>9</u>	NOTICE OF ATTORNEY APPEARANCE: G. Derek Andreson appearing for GERARDO GONZALEZ–VALENCIA (Best, Stephen) Modified attorney on 5/18/2020 (znmw). (Entered: 05/18/2020)
05/18/2020	<u>10</u>	ENTERED IN ERROR....NOTICE OF ATTORNEY APPEARANCE: Stephen A. Best appearing for GERARDO GONZALEZ–VALENCIA <i>Lilly A Sanchez</i> (Best, Stephen) Modified on 5/18/2020 (zhjsj). (Entered: 05/18/2020)
05/18/2020		NOTICE OF CORRECTED DOCKET ENTRY: as to GERARDO GONZALEZ–VALENCIA re <u>10</u> Notice of Attorney Appearance – Defendant was entered in error and counsel was instructed to refile said pleading as a Pro Hac Vice because Ms. Sanchez is not a member of the bar of this court. (hsj) (Entered: 05/18/2020)
05/19/2020	<u>11</u>	Unopposed MOTION for Protective Order by USA as to GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Text of Proposed Order Proposed Protective Order)(Reynolds, Brett) (Entered: 05/19/2020)
05/19/2020		MINUTE ORDER granting <u>11</u> Unopposed Motion for Protective Order as to GERARDO GONZALEZ–VALENCIA. Signed by Chief Judge Beryl A. Howell on 5/19/2020. (tg) (Entered: 05/19/2020)
05/19/2020	<u>14</u>	PROTECTIVE ORDER as to GERARDO GONZALEZ–VALENCIA. Signed by Chief Judge Beryl A. Howell on May 19, 2020. (lcbah2) (Entered: 05/19/2020)
05/19/2020		

		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Telephonic Status Hearing as to GERARDO GONZALEZ–VALENCIA held on 5/19/2020. The Defendant appearing via video conference. A further Status Hearing is scheduled for 7/24/2020, at 9:30 AM in Courtroom 22A before Chief Judge Beryl A. Howell. Time excluded under the Speedy Trial Act without objection from 5/19/2020 through 7/24/2020. The Court found that given the voluminous discovery that needs to be translated from Spanish, the time that defense counsel will need to review the discovery and discuss it with his client, time under the Speedy Trial Act shall be excluded in the best interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial. Bond Status of Defendant: Defendant committed. Present telephonically: Defense Attorneys: Stephen A. Best, Derek Andreson, and Lilly A. Sanchez; US Attorneys: Brett C. Reynolds and Kaitlin Sahni; and the Defendant. Court Reporter: Elizabeth Saint–Loth. (tg) Modified on 5/19/2020 (tg). (Entered: 05/19/2020)
05/19/2020	<u>15</u>	MEMORANDUM in Support of Pretrial Detention by USA as to GERARDO GONZALEZ–VALENCIA (Attachments: # <u>1</u> Exhibit 1)(Sahni, Kaitlin) Modified on 5/25/2020 (zhsj). Modified on 5/26/2020 (znmw). (Entered: 05/19/2020)
05/19/2020		ENTERED IN ERROR (DISREGARD).....NOTICE OF CORRECTED DOCKET ENTRY: as to GERARDO GONZALEZ–VALENCIA re <u>15</u> Memorandum in Support of Pretrial Detention was entered in error and counsel was instructed to refile said pleading. Document need to be filed as a Memorandum in Support of Pretrial Detention not a motion. (zhsj) Modified on 5/26/2020 (znmw). (Entered: 05/25/2020)
05/20/2020	<u>16</u>	MOTION for Leave to Appear Pro Hac Vice Lilly Ann Sanchez Filing fee \$ 100, receipt number ADCDC–7143693. Fee Status: Fee Paid. by GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Application for Admission Pro Hac Vice, # <u>2</u> Text of Proposed Order Proposed Order)(Best, Stephen) (Entered: 05/20/2020)
05/20/2020		ORAL MOTION to Commit Defendant to Custody of Attorney General by USA as to GERARDO GONZALEZ–VALENCIA. (zpt) Modified date on 5/21/2020 (zpt). (Entered: 05/21/2020)
05/20/2020		Minute Entry for proceedings held before Magistrate Judge G. Michael Harvey: Detention Hearing as to GERARDO GONZALEZ–VALENCIA (1) held on 5/20/2020. Oral Motion by the Government to Commit Defendant to Custody of Attorney General as to GERARDO GONZALEZ–VALENCIA (1) Heard and Granted. Defendant concedes to detention but reserves rights to bring up the matter of detention at a later date. <u>16</u> Motion for Leave to Appear Pro Hac Vice Lilly Ann Sanchez Heard and Granted. Bond Status of Defendant: Defendant Committed/Commitment Issued; Court Reporter: Lisa Moreira; Defense Attorney: Stephen Best, G. Derek Andreson, and Lilly Sanchez; US Attorney: Kaitlin Sahni; Pretrial Officer: Masharia Holman; (zpt) (Entered: 05/21/2020)
05/21/2020		MINUTE ORDER (paperless) as to GERARDO GONZALEZ–VALENCIA GRANTING the defendant's <u>16</u> Motion to Appear Pro Hac Vice. Ms. Lilly Ann Sanchez may enter an appearance pro hac vice for the purpose of representing the defendant in this action. Signed by Chief Judge Beryl A. Howell on May 21, 2020. (lcbah2) (Entered: 05/21/2020)
05/28/2020	<u>17</u>	NOTICE OF ATTORNEY APPEARANCE: G. Derek Andreson appearing for GERARDO GONZALEZ–VALENCIA (Andreson, G.) (Entered: 05/28/2020)
05/29/2020	<u>18</u>	WITHDRAWN.....MOTION for Bill of Particulars by GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Text of Proposed Order Proposed

		Order)(Best, Stephen) Modified on 6/18/2020 (ztg). (Entered: 05/29/2020)
06/05/2020	<u>19</u>	NOTICE OF ATTORNEY APPEARANCE: Lilly Ann Sanchez appearing for GERARDO GONZALEZ–VALENCIA (Sanchez, Lilly) (Entered: 06/05/2020)
06/12/2020	<u>20</u>	Memorandum in Opposition by USA as to GERARDO GONZALEZ–VALENCIA re <u>18</u> MOTION for Bill of Particulars (Sahni, Kaitlin) (Entered: 06/12/2020)
06/17/2020		MINUTE ORDER (paperless) as to GERARDO GONZALEZ–VALENCIA DIRECTING the government, by June 22, 2020, to supplement its <u>20</u> Opposition to Defendant's <u>18</u> Motion for a Bill of Particulars by identifying, for each of the six categories for which particulars are requested, precisely what information has been provided in discovery, not merely the format of that information in "intercepted communications," "evidence of a cocaine seizure," "financial documents," "letters written by the Defendant," and "surveillance photographs." Gov't's Opp'n at 2, 9. To be sure, as the government notes, "if the requested information is available in some other form, then a bill of particulars is not required." <i>United States v. Butler</i> , 822 F.2d 1191, 1193 (D.C. Cir. 1987). In practice, this means the government must do more than merely promise "the Defendant will have adequate information to prepare for his defense from the Indictment and the discovery that the Government has produced," Gov't's Opp'n at 6, and must instead show that the requested information has been provided in discovery, particularly given the scope of the charged conspiracy here, which allegedly spans thirteen years from approximately 2003 through April 19, 2016, the date of the indictment, and multiple countries, occurring "in Mexico, the United States, and elsewhere." Gov't's Opp'n at 2; <i>see, e.g., Butler</i> , 822 F.2d at 1193–1194 (affirming denial of requested bill of particulars where government's response to request "furnished essentially the information that [defendant] had requested"); <i>United States v. Mosquera–Murillo</i> , 153 F. Supp. 3d 130, 145 (D.D.C. 2015) (denying defense motion for bill of particulars after "government filed supplemental briefing providing more detailed information as to the evidence produced to the defendants responsive to each of the seven categories identified in the defendants' motion"). Signed by Chief Judge Beryl A. Howell on June 17, 2020. (lcbah2) (Entered: 06/17/2020)
06/17/2020		Set/Reset Deadlines as to GERARDO GONZALEZ–VALENCIA: Government's response to Order of the Court due by 6/22/2020. (ztg) (Entered: 06/17/2020)
06/17/2020	<u>21</u>	MOTION to Withdraw Document <u>18</u> MOTION for Bill of Particulars by GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Best, Stephen) (Entered: 06/17/2020)
06/18/2020		MINUTE ORDER as to GERARDO GONZALEZ–VALENCIA. GRANTING <u>21</u> Defendant Gerardo Gonzalez–Valencia's Motion to Withdraw Motion for Bill of Particulars Without Prejudice. Upon consideration of the Defendant's motion, it is hereby ORDERED that the Defendant's <u>18</u> Motion for Bill of Particulars shall be withdrawn without prejudice. It is FURTHER ORDERED that in light of the Defendant's withdrawal of his Motion for Bill of Particulars, the Minute Order entered on June 17, 2020, directing the government to supplement its opposition, is hereby VACATED. Signed by Chief Judge Beryl A. Howell on 6/18/2020. (ztg) (Entered: 06/18/2020)
06/18/2020		Terminate Deadlines as to GERARDO GONZALEZ–VALENCIA: Government's response to Order of the Court on 6/22/2020, TERMINATED. (ztg) (Entered: 06/18/2020)
06/24/2020		

		NOTICE OF RESCHEDULED TIME OF HEARING as to GERARDO GONZALEZ–VALENCIA. The parties shall take notice that the Status Hearing scheduled to be heard at 9:30 AM on 7/24/2020, is RESCHEDULED for 7/24/2020, at 10:00 AM before Chief Judge Beryl A. Howell via video conference. Video conference connection details will be provided by the deputy clerk. (ztg) (Entered: 06/24/2020)
07/24/2020		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing via video conference as to GERARDO GONZALEZ–VALENCIA held on 7/24/2020. The Defendant agreed to appear via video conference after consultation with counsel. A further Status Hearing is scheduled for 10/23/2020, at 10:00 AM in Courtroom 22A before Chief Judge Beryl A. Howell. The Defendant agreed to exclude time under the Speedy Trial Act from today until 10/23/2020. The Court found that time shall be excluded under the Speedy Trial Act from 7/24/2020 through 10/23/2020, in the interests of justice and those interests outweigh the interests of Mr. Gonzalez–Valencia and the public in a speedy trial, and in order to allow the government to complete discovery and defense counsel to review and discuss the evidence with their client, and for the parties to discuss resolution of this case short of trial, if appropriate. Bond Status of Defendant: Defendant committed. Present via video conference and telephonically: Defense Attorneys: G. Derek Andreson and Lilly A. Sanchez; US Attorney: Kaitlin J. Sahni; Interpreter: Teresa Roman (sworn). Court Reporter: Elizabeth Saint–Loth. (ztg) (Entered: 07/24/2020)
08/31/2020	<u>22</u>	MOTION for Leave to Appear Pro Hac Vice Tiffany B. Lietz Filing fee \$ 100, receipt number ADCDC–7531016. Fee Status: Fee Paid. by GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Application for Admission Pro Hac Vice, # <u>2</u> Text of Proposed Order Proposed Order)(Best, Stephen) (Entered: 08/31/2020)
09/02/2020		MINUTE ORDER (paperless) as to GERARDO GONZALEZ–VALENCIA GRANTING defendant's <u>22</u> Motion for Admission <i>Pro Hac Vice</i> . Tiffany B. Lietz may enter an appearance <i>pro hac vice</i> for the purpose of representing the defendant in this action. Counsel should register for e–filing via PACER and file a notice of appearance pursuant to LCrR 44.5(a). Click for Instructions. Signed by Chief Judge Beryl A. Howell on September 1, 2020. (lcbah2) (Entered: 09/02/2020)
09/10/2020	<u>23</u>	NOTICE OF ATTORNEY APPEARANCE: Tiffany Brook Lietz appearing for GERARDO GONZALEZ–VALENCIA (Lietz, Tiffany) (Entered: 09/10/2020)
10/14/2020		MINUTE ORDER (paperless) as to GERARDO GONZALEZ–VALENCIA DIRECTING the parties, in light of the Court's Notice, <i>see Court Operations: Transition to Phase 2 Beginning September 14, 2020</i> (available at https://www.dcd.uscourts.gov/sites/dcd/files/COVID%2019%20Notice%20Transition%20to%20Phase%202.pdf), to notify the Court, by October 19, 2020, whether they consent to appearing at the next Status Hearing, currently scheduled for October 23, 2020 at 10:00 AM, via videoconference. Signed by Chief Judge Beryl A. Howell on October 14, 2020. (lcbah2) Modified hearing type on 10/16/2020 (ztg). (Entered: 10/14/2020)
10/15/2020		Set/Reset Deadlines as to GERARDO GONZALEZ–VALENCIA: Response to Order of the Court due by 10/19/2020. (ztg) (Entered: 10/15/2020)
10/20/2020	<u>24</u>	RESPONSE by USA as to GERARDO GONZALEZ–VALENCIA re Order., (Sahni, Kaitlin) (Entered: 10/20/2020)
10/23/2020		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to GERARDO GONZALEZ–VALENCIA held via video conference on 10/23/2020.

		A further Status Hearing is scheduled for 1/29/2021, at 10:00 AM before Chief Judge Beryl A. Howell. The Defendant agreed to exclude time under the Speedy Trial Act from today until the next status hearing of 1/29/2021. The Court found that due to the extensive discovery being reviewed and discussed, and the ongoing discussions to resolve this case short of trial, time under the Speedy Trial Act shall be excluded in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial. Bond Status of Defendant: Defendant committed. Present via video conference: Defense Attorneys: Stephen A. Best and Lilly A. Sanchez; US Attorneys: BrettC. Reynolds and Kaitling Sahni; Interpreter: Teresa Salazar (telephonically). Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 10/23/2020)
01/25/2021	<u>25</u>	NOTICE OF ATTORNEY APPEARANCE: Rachel O. Wolkinson appearing for GERARDO GONZALEZ-VALENCIA (Wolkinson, Rachel) (Entered: 01/25/2021)
01/29/2021		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to GERARDO GONZALEZ-VALENCIA held via videoconference on 1/29/2021. The Defendant agreed to participate via videoconference. A further Status Hearing is scheduled for 5/21/2021, at 10:00 AM before Chief Judge Beryl A. Howell. Time excluded under the Speedy Trial Act from today until the next hearing date of 5/21/2021. The Court found that time under the Speedy Trial Act shall be excluded from 1/29/2021 through 5/21/2021, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to allow the defendant more time to consult with counsel about the voluminous discovery that needs to be processed and translated by the government and defense counsel. Bond Status of Defendant: Defendant committed. Present via videoconference: Defense Attorney: Stephen A. Best, Rachel O. Wolkinson, Tiffany B. Lietz, and Lilly A. Sanchez; US Attorney: Brett C. Reynolds and Kaitlin J. Sahni; Interpreter: Teresa Salazar (Spanish). Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 01/29/2021)
04/15/2021		Set/Reset Hearings as to GERARDO GONZALEZ-VALENCIA: The parties shall take notice that the status hearing scheduled for May 21, 2021, at 10:00 AM is RESCHEDULED for May 21, 2021, at 10:30 AM via videoconference before Chief Judge Beryl A. Howell. A videoconference link will be provided by the deputy clerk nearest the hearing date. (ztg) (Entered: 04/15/2021)
05/19/2021	<u>26</u>	MOTION to Withdraw as Attorney by G. Derek Andreson. by GERARDO GONZALEZ-VALENCIA. (Andreson, G.) (Entered: 05/19/2021)
05/19/2021	<u>27</u>	MOTION to Withdraw as Attorney by Rachel O. Wolkinson. by GERARDO GONZALEZ-VALENCIA. (Wolkinson, Rachel) (Entered: 05/19/2021)
05/20/2021		<p>NOTICE of Provisional/Government Not Certified Status re <u>26</u> MOTION to Withdraw as Attorney by G. Derek Andreson. by GERARDO GONZALEZ-VALENCIA. (Andreson, G.).</p> <p>Your attorney renewal/government certification has not been received. As a result, your membership with the U.S. District & Bankruptcy Courts for the District of Columbia is not in good standing, and you are not permitted to file. Pursuant to Local Criminal Rule 57.21.1, you must immediately correct your membership status by following the appropriate instructions on this page of our website: https://www.dcd.uscourts.gov/attorney-admissions-and-renewal-information.</p> <p>Please be advised that the presiding judge in this case has been notified that you are currently not in good standing to file in this court. Renewal Due by 5/27/2021. (znmw)</p>

		(Entered: 05/20/2021)
05/20/2021		MINUTE ORDER granting <u>26</u> Motion to Withdraw as Attorney filed by G. Derek Andreson; granting <u>27</u> Motion to Withdraw as Attorney filed by Rachel O. Wolkison. Signed by Chief Judge Beryl A. Howell on 5/20/2021. (ztg) (Entered: 05/20/2021)
05/20/2021	<u>28</u>	NOTICE OF ATTORNEY APPEARANCE Kate M. Naseef appearing for USA. (Naseef, Kate) (Entered: 05/20/2021)
05/21/2021		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to GERARDO GONZALEZ-VALENCIA held via videoconference on 5/21/2021. The Defendant agreed to participate via videoconference. Jury Selection/Jury Trial scheduled for 2/7/2022, at 9:00 AM in Courtroom 22A before Chief Judge Beryl A. Howell; trial scheduling order to be issued by the Court. The Defendant agreed to exclude time under the Speedy Trial Act from today until the trial date of 2/7/2022. The Court found that time under the Speedy Trial Act shall be excluded from 5/21/2021 through 2/7/2022, in the interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial in order to give the parties time to prepare for trial. Bond Status of Defendant: Defendant committed. Present via videoconference: Defense Attorneys: Stephen A. Best (telephonically) and Lilly A. Sanchez; US Attorneys: Brett C. Reynolds and Kaitlin Sahni; Interpreter: Teresa Salazar. Court Reporter: Elizabeth Saint-Loth. (ztg) (Entered: 05/21/2021)
05/21/2021		MINUTE ORDER (paperless) as to GERARDO GONZALEZ-VALENCIA, ENTERING, in light of the parties' representations at the May 21, 2021 status conference in this matter, the following SCHEDULING ORDER: (1) by October 4, 2021, the parties shall file any pretrial motions other than motions <i>in limine</i> ; by October 18, 2021, any oppositions to pretrial motions shall be filed; by October 25, 2021, any replies to oppositions to pretrial motions shall be filed; (2) at 11:00 AM on November 19, 2021, the parties shall appear for a hearing on any pretrial motions in Courtroom 22A before Chief Judge Beryl A. Howell; (3) by December 15, 2021, any motions <i>in limine</i> shall be filed; by December 29, 2021, any oppositions to motions <i>in limine</i> shall be filed; and by January 5, 2022, any replies to oppositions to motions <i>in limine</i> shall be filed; (4) by December 15, 2021, the parties shall file their Joint Pretrial Statement. <i>See</i> <u>2</u> Standing Order ¶ 8; (5) on January 21, 2022 at 11:00 AM, the parties are directed to appear for a pretrial conference in Courtroom 22A before Chief Judge Beryl A. Howell; and (6) on February 7, 2022 at 9:00 AM, the parties are directed to appear for jury selection in Courtroom 22A before Chief Judge Beryl A. Howell. Signed by Chief Judge Beryl A. Howell on May 21, 2021. (lcbah3) (Entered: 05/21/2021)
05/21/2021		Set/Reset Deadlines/Hearings as to GERARDO GONZALEZ-VALENCIA: Pretrial motions due by 10/4/2021; oppositions due by 10/18/2021; replies due by 10/25/2021; Motion Hearing set for 11/19/2021, at 11:00 AM in Courtroom 22A before Chief Judge Beryl A. Howell; motions in Limine due by 12/15/2021; oppositions due by 12/29/2021; replies due by 1/5/2022; Joint Pretrial Statement due by 12/15/2021; Pretrial Conference set for 1/21/2022, at 11:00 AM in Courtroom 22A before Chief Judge Beryl A. Howell; jury selection set for 2/7/2022, at 9:00 AM. (ztg) (Entered: 05/21/2021)
05/25/2021	<u>29</u>	TRANSCRIPT OF PROCEEDINGS, in case as to GERARDO GONZALEZ-VALENCIA, before Chief Judge Beryl A. Howell, held on 5-21-2021. Page Numbers: 1 – 17. Date of Issuance: 5/25/2021. Court Reporter: Elizabeth Saint-Loth, Telephone number: 202-354-3242. Transcripts may be ordered by

		<p>submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 6/15/2021. Redacted Transcript Deadline set for 6/25/2021. Release of Transcript Restriction set for 8/23/2021.(Saint-Loth, Elizabeth) (Entered: 05/25/2021)</p>
10/04/2021	<u>30</u>	MOTION to Strike <i>Improper Aliases and Related Evidence and Memorandum of Points and Authorities in Support Thereof</i> by GERARDO GONZALEZ-VALENCIA. (Attachments: # <u>1</u> Proposed Order)(Best, Stephen) (Entered: 10/04/2021)
10/04/2021	<u>31</u>	MOTION for Bill of Particulars <i>and Memorandum of Points and Authorities in Support Thereof</i> by GERARDO GONZALEZ-VALENCIA. (Attachments: # <u>1</u> Proposed Order)(Best, Stephen) (Entered: 10/04/2021)
10/04/2021	<u>32</u>	MOTION for Release of Brady Materials <i>/Motion for Timely Disclosure of Brady/Giglio Materials and Early Disclosure of Jencks Material and Incorporated Memorandum of Points and Authorities</i> by GERARDO GONZALEZ-VALENCIA. (Attachments: # <u>1</u> Proposed Order)(Best, Stephen) (Entered: 10/04/2021)
10/04/2021	<u>33</u>	MOTION to Exclude <i>Evidence and Mention of the 2009 Shark Incident and Memorandum of Points and Authorities in Support Thereof</i> by GERARDO GONZALEZ-VALENCIA. (Attachments: # <u>1</u> Exhibits A – B, # <u>2</u> Proposed Order)(Best, Stephen) (Entered: 10/04/2021)
10/04/2021	<u>34</u>	MOTION to Compel <i>Disclosure of Information Regarding Witnesses, Confidential Informants, and Cooperators and Memorandum of Points and Authorities in Support Thereof</i> by GERARDO GONZALEZ-VALENCIA. (Attachments: # <u>1</u> Proposed Order)(Best, Stephen) (Entered: 10/04/2021)
10/04/2021	<u>35</u>	MOTION to Dismiss Case <i>/Motion to Dismiss the Indictment on Statute of Limitations Grounds or in the Alternative for a Bill of Particulars and Incorporated Memorandum of Points and Authorities</i> by GERARDO GONZALEZ-VALENCIA. (Attachments: # <u>1</u> Proposed Order)(Best, Stephen) (Entered: 10/04/2021)
10/04/2021	39	MOTION for Bill of Particulars by GERARDO GONZALEZ-VALENCIA. (See DE <u>35</u> to view document). (bb) (Entered: 10/06/2021)
10/05/2021	<u>37</u>	MOTION in Limine <i>No. 1 and Incorporated Memorandum of Points and Authorities: Preclude Mention of Money Laundering Charge in Uruguay</i> by GERARDO GONZALEZ-VALENCIA. (Attachments: # <u>1</u> Proposed Order)(Best, Stephen) (Entered: 10/05/2021)
10/05/2021	<u>38</u>	

		MOTION for Hearing <i>Pursuant to CIPA Section 2</i> by USA as to GERARDO GONZALEZ–VALENCIA. (Naseef, Kate) (Entered: 10/05/2021)
10/18/2021	<u>40</u>	Memorandum in Opposition by USA as to GERARDO GONZALEZ–VALENCIA re <u>33</u> MOTION to Exclude <i>Evidence and Mention of the 2009 Shark Incident and Memorandum of Points and Authorities in Support Thereof</i> (Sahni, Kaitlin) (Entered: 10/18/2021)
10/18/2021	<u>41</u>	Memorandum in Opposition by USA as to GERARDO GONZALEZ–VALENCIA re <u>37</u> MOTION in Limine No. 1 and Incorporated Memorandum of Points and Authorities: <i>Preclude Mention of Money Laundering Charge in Uruguay</i> (Sahni, Kaitlin) (Entered: 10/18/2021)
10/18/2021	<u>42</u>	Memorandum in Opposition by USA as to GERARDO GONZALEZ–VALENCIA re <u>34</u> MOTION to Compel <i>Disclosure of Information Regarding Witnesses, Confidential Informants, and Cooperators and Memorandum of Points and Authorities in Support Thereof</i> (Sahni, Kaitlin) (Entered: 10/18/2021)
10/18/2021	<u>43</u>	Memorandum in Opposition by USA as to GERARDO GONZALEZ–VALENCIA re <u>30</u> MOTION to Strike <i>Improper Aliases and Related Evidence and Memorandum of Points and Authorities in Support Thereof</i> (Attachments: # <u>1</u> Exhibit 1)(Sahni, Kaitlin) (Entered: 10/18/2021)
10/18/2021	<u>44</u>	Memorandum in Opposition by USA as to GERARDO GONZALEZ–VALENCIA re <u>31</u> MOTION for Bill of Particulars and <i>Memorandum of Points and Authorities in Support Thereof</i> (Sahni, Kaitlin) (Entered: 10/18/2021)
10/18/2021	<u>45</u>	Memorandum in Opposition by USA as to GERARDO GONZALEZ–VALENCIA re <u>32</u> MOTION for Release of Brady Materials / <i>Motion for Timely Disclosure of Brady/Giglio Materials and Early Disclosure of Jencks Material and Incorporated Memorandum of Points and Authorities</i> (Sahni, Kaitlin) (Entered: 10/18/2021)
10/18/2021	<u>46</u>	Government's Memorandum in Opposition to <u>36</u> (Attachment 2) Defendant's Motion to Dismiss the Indictment for Improper Duplicity by USA as to GERARDO GONZALEZ–VALENCIA. (Sahni, Kaitlin) Modified text and link on 10/20/2021 (bb). (Entered: 10/18/2021)
10/18/2021	<u>47</u>	Government's Memorandum in Opposition to <u>36</u> (Attachment 8) Defendant's Motion to Dismiss by USA as to GERARDO GONZALEZ–VALENCIA. (Sahni, Kaitlin) Modified text and link on 10/20/2021 (bb). (Entered: 10/18/2021)
10/18/2021	<u>48</u>	Government's Memorandum in Opposition to <u>36</u> (Attachment 5) Defendant's Motion to Suppress Evidence by USA as to GERARDO GONZALEZ–VALENCIA. (Sahni, Kaitlin) Modified text and link on 10/20/2021 (bb). (Entered: 10/18/2021)
10/25/2021	<u>51</u>	REPLY TO OPPOSITION to Motion by GERARDO GONZALEZ–VALENCIA re <u>46</u> MOTION in Opposition to Defendant's Motion to Dismiss the Indictment for Improper Duplicity (Attachments: # <u>1</u> Exhibit A)(Best, Stephen) (Entered: 10/25/2021)
10/25/2021	<u>52</u>	REPLY TO OPPOSITION to Motion by GERARDO GONZALEZ–VALENCIA re <u>30</u> MOTION to Strike <i>Improper Aliases and Related Evidence and Memorandum of Points and Authorities in Support Thereof</i> (Attachments: # <u>1</u> Exhibit A)(Best, Stephen) (Entered: 10/25/2021)
10/25/2021	<u>53</u>	REPLY TO OPPOSITION to Motion by GERARDO GONZALEZ–VALENCIA re <u>48</u> MOTION in Opposition to Defendant's Motion to Suppress Evidence (Best, Stephen)

		(Entered: 10/25/2021)
10/25/2021	<u>54</u>	REPLY TO OPPOSITION to Motion by GERARDO GONZALEZ–VALENCIA re 39 MOTION for Bill of Particulars (Best, Stephen) (Entered: 10/25/2021)
10/25/2021	<u>55</u>	REPLY TO OPPOSITION to Motion by GERARDO GONZALEZ–VALENCIA re <u>34</u> MOTION to Compel <i>Disclosure of Information Regarding Witnesses, Confidential Informants, and Cooperators and Memorandum of Points and Authorities in Support Thereof</i> (Best, Stephen) (Entered: 10/25/2021)
10/25/2021	<u>56</u>	REPLY TO OPPOSITION to Motion by GERARDO GONZALEZ–VALENCIA re <u>32</u> MOTION for Release of Brady Materials <i>/Motion for Timely Disclosure of Brady/Giglio Materials and Early Disclosure of Jencks Material and Incorporated Memorandum of Points and Authorities</i> (Best, Stephen) (Entered: 10/25/2021)
10/25/2021	<u>57</u>	REPLY TO OPPOSITION to Motion by GERARDO GONZALEZ–VALENCIA re <u>33</u> MOTION to Exclude <i>Evidence and Mention of the 2009 Shark Incident and Memorandum of Points and Authorities in Support Thereof</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Best, Stephen) (Entered: 10/25/2021)
10/28/2021	<u>60</u>	NOTICE OF ATTORNEY APPEARANCE Kirk Kenneth Handrich appearing for USA. (Handrich, Kirk) (Entered: 10/28/2021)
11/05/2021		NOTICE OF RESCHEDULED HEARING as to GERARDO GONZALEZ–VALENCIA. The parties shall take notice that the Motion Hearing currently scheduled for 11/19/2021 at 11:00 AM is RESCHEDULED for 11/19/2021 at 10:00 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell. (ztg) (Entered: 11/05/2021)
11/08/2021	<u>64</u>	MOTION to Dismiss Case <i>/Defendant Gerardo Gonzalez–Valencia's Motion to Dismiss [Redacted] [previously filed under seal ECF No. 36–8]</i> by GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Exhibit A through F (Redacted) [previously filed under seal as ECF No. 36–9])(Best, Stephen) (Entered: 11/08/2021)
11/08/2021	<u>65</u>	REDACTED DOCUMENT by GERARDO GONZALEZ–VALENCIA of Exhibit A to Motion to Suppress Evidence (Redacted) [previously filed under seal as ECF No. 36–6] (Best, Stephen) (Entered: 11/08/2021)
11/08/2021	<u>66</u>	REDACTED DOCUMENT by GERARDO GONZALEZ–VALENCIA of Exhibits A – D to Defendant's Motion to Dismiss the Indictment for Improper Duplicitly (Redacted) [previously filed under seal as ECF No. 36–3] (Best, Stephen) (Entered: 11/08/2021)
11/08/2021	<u>67</u>	MOTION for Release from Custody <i>/Defendant Gerardo Gonzalez–Valencia's Motion for Temporary Release Pending Trial</i> by GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Text of Proposed Order)(Best, Stephen) (Entered: 11/08/2021)
11/09/2021		MINUTE ORDER (paperless) DIRECTING the government, by November 11 at 5 PM, to address (1) how its position in response to defendant's <u>32</u> Motion for Timely Disclosure of <i>Brady/Giglio</i> Materials and Early Disclosure of Jencks Material and <u>34</u> Motion to Compel Disclosure of Information Regarding Witnesses, Confidential Informants, and Cooperators complies with Local Criminal Rule 5.1, which requires the government, "as soon as reasonably possible after its existence is known," to "disclose to the defense all information 'favorable to an accused' that is 'material either to guilt or to punishment' under <i>Brady v. Maryland</i> , 373 U.S. 83, 87 (1963)," LCvR 5.1(a), even though defendant did not invoke this rule; and (2) whether every potential government witness "would face serious security risks if their cooperation and status as prospective

		trial witnesses were revealed" thirty, rather than fourteen, days before trial as requested by defendant or if some requested disclosure may be made thirty days before trial. <i>See</i> <u>42</u> Gov't's Opp'n to Mot. to Compel Disclosure of Information Regarding Witnesses, Confidential Informants, and Cooperators, at 4; and FURTHER DIRECTING that defendant shall file, by November 15, 2021 at 2 PM, any response to the government's submission in compliance with this order. Signed by Chief Judge Beryl A. Howell on November 9, 2021. (lcbah2) (Entered: 11/09/2021)
11/09/2021		Set/Reset Deadlines as to GERARDO GONZALEZ–VALENCIA: Government's response to Order of the Court due by 5:00 PM on 11/11/2021; Defendant's reply due by 2:00 PM on 11/15/2021. (ztg) (Entered: 11/09/2021)
11/10/2021	<u>68</u>	Unopposed MOTION Designate Classified Information Security Officers by USA as to GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Text of Proposed Order)(Naseef, Kate) (Entered: 11/10/2021)
11/10/2021		MINUTE ORDER (paperless), as to GERARDO GONZALEZ–VALENCIA, GRANTING the government's <u>68</u> Unopposed Motion to Designate a Classified Information Security Officer; DESIGNATING Daniella M. Medel, pursuant to the Classified Information Procedures Act, 18 U.S.C. App. III, and Section 2 of the Security Procedures established under Pub. L. 96–456, 94 Stat. 2025 by the Chief Justice of the United States, as the Classified Information Security Officer to perform the duties and responsibilities prescribed in the Security Procedures promulgated by the Chief Justice of the United States; and FURTHER DESIGNATING Daniel O. Hartenstine, Matthew W. Mullery, Carli V. Rodriguez–Feo, Harry J. Rucker, and Winfield S. Slade as Alternate Classified Information Security Officers to serve in the event Daniella M. Medel is unavailable. Signed by Chief Judge Beryl A. Howell on November 10, 2021. (lcbah2) (Entered: 11/10/2021)
11/10/2021	<u>69</u>	SUPPLEMENT by GERARDO GONZALEZ–VALENCIA re <u>67</u> MOTION for Release from Custody / <i>Defendant Gerardo Gonzalez–Valencia's Motion for Temporary Release Pending Trial /Exhibit A to Defendant Gerardo Gonzalez–Valencia's Motion for Temporary Release Pending Trial</i> (Best, Stephen) (Entered: 11/10/2021)
11/11/2021	<u>70</u>	RESPONSE by USA as to GERARDO GONZALEZ–VALENCIA re Order,,,,, of November 9, 2021 (Sahni, Kaitlin) (Entered: 11/11/2021)
11/12/2021		MINUTE ORDER (paperless) DIRECTING, upon consideration of the government's <u>38</u> Motion for Pretrial Conference Pursuant to the Classified Information Procedures Act ("CIPA"), the government to submit, by November 17, 2021 at 2 PM, a status report apprising the Court of the status of its efforts to review materials it believes may require litigation under CIPA. Signed by Chief Judge Beryl A. Howell on November 12, 2021. (lcbah2) (Entered: 11/12/2021)
11/12/2021		Set/Reset Deadlines as to GERARDO GONZALEZ–VALENCIA: Government's status report due by 2:00 PM on 11/17/2021. (ztg) (Entered: 11/12/2021)
11/12/2021	<u>71</u>	MOTION for Leave to Appear Pro Hac Vice David L. Rosenthal Filing fee \$ 100, receipt number ADCDC–8862579. Fee Status: Fee Paid. by GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Application for Admission Pro Hac Vice, # <u>2</u> Text of Proposed Order)(Best, Stephen) (Entered: 11/12/2021)
11/12/2021	<u>72</u>	MOTION to Consolidate Cases by USA as to GERARDO GONZALEZ–VALENCIA. (Naseef, Kate) (Entered: 11/12/2021)

11/12/2021		MINUTE ORDER as to GERARDO GONZALEZ–VALENCIA, DIRECTING the defendants in both cases (16cr65 and 16cr192) to respond by 2:00 PM on 11/17/2021 to the government's <u>72</u> MOTION to Consolidate Cases; government's reply shall be filed by 4:00 PM on 11/18/2021. SO ORDERED. Signed by Chief Judge Beryl A. Howell on 11/12/2021. (ztg) (Entered: 11/12/2021)
11/15/2021	<u>73</u>	REDACTED DOCUMENT by USA as to GERARDO GONZALEZ–VALENCIA of Government's Opposition to Defendant's Motion to Dismiss the Indictment on Statute of Limitations Grounds or in the Alternative for a Bill of Particulars [Previously filed under seal as ECF No. 49–3] (Sahni, Kaitlin) (Entered: 11/15/2021)
11/15/2021	<u>74</u>	REPLY by GERARDO GONZALEZ–VALENCIA re <u>70</u> Response to document, Order,,,,, / <i>Defendant Gerardo Gonzalez–Valencia's Reply to the Government's Reponse to Minute Order</i> (Attachments: # <u>1</u> Exhibit A)(Best, Stephen) (Entered: 11/15/2021)
11/16/2021	<u>75</u>	MOTION for Permission to Use Courtroom Technology at the November 19, 2021 Motion Hearing by GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Text of Proposed Order)(Best, Stephen) (Entered: 11/16/2021)
11/16/2021	<u>76</u>	Government's Response to Minute Order of November 12 by USA as to GERARDO GONZALEZ–VALENCIA. (Naseef, Kate) Modified text on 11/29/2021 (bb). (Entered: 11/16/2021)
11/16/2021		MINUTE ORDER (paperless) NOTIFYING the parties that the motions hearing scheduled for Friday, November 19 at 10 AM, will instead be dedicated to addressing the government's pending <u>72</u> Motion to Consolidate. Argument on the pending pre–trial motions will be postponed while the Motion to Consolidate remains under advisement. Signed by Chief Judge Beryl A. Howell on November 16, 2021. (lcbah2) (Entered: 11/16/2021)
11/17/2021	<u>77</u>	RESPONSE by GERARDO GONZALEZ–VALENCIA re <u>72</u> MOTION to Consolidate Cases / <i>Defendant Gerardo Gonzalez–Valencia's Response in Opposition to the Government's Motion for Joinder of Defendants for Trial</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Best, Stephen) (Entered: 11/17/2021)
11/17/2021	<u>78</u>	Memorandum in Opposition by USA as to GERARDO GONZALEZ–VALENCIA re <u>67</u> MOTION for Release from Custody / <i>Defendant Gerardo Gonzalez–Valencia's Motion for Temporary Release Pending Trial</i> (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D)(Reynolds, Brett) (Entered: 11/17/2021)
11/17/2021		MINUTE ORDER (paperless) DENYING, as moot, defendant's <u>75</u> Motion for Permission to Use Courtroom Technology, since the motions hearing scheduled for Friday, November 19, 2021 will address only the government's <u>72</u> Motion to Consolidate and a motions hearing on other pending pre–trial motions will be postponed until resolution of the consolidation motion. <i>See</i> Minute Order (Nov. 16, 2021). Signed by Chief Judge Beryl A. Howell on November 17, 2021. (lcbah2) (Entered: 11/17/2021)
11/18/2021	<u>79</u>	NOTICE of Supplemental Authority by GERARDO GONZALEZ–VALENCIA (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Best, Stephen) (Entered: 11/18/2021)
11/18/2021	<u>80</u>	REPLY in Support by USA as to GERARDO GONZALEZ–VALENCIA re <u>72</u> MOTION to Consolidate Cases (Reynolds, Brett) (Entered: 11/18/2021)
11/18/2021		

		MINUTE ORDER (paperless), as to GERARDO GONZALEZ–VALENCIA, GRANTING defendant's <u>71</u> Motion for Admission Pro Hac Vice of Attorney David L. Rosenthal. Mr. Rosenthal may enter an appearance <i>pro hac vice</i> for the purpose of representing defendant in this action. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCrR 44.5(a). Click for Instructions. Signed by Chief Judge Beryl A. Howell on November 18, 2021. (lcbah2) (Entered: 11/18/2021)
11/18/2021	<u>81</u>	NOTICE of Supplemental Authority by GERARDO GONZALEZ–VALENCIA (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Best, Stephen) (Entered: 11/18/2021)
11/19/2021	<u>82</u>	NOTICE OF ATTORNEY APPEARANCE: David Leighton Rosenthal appearing for GERARDO GONZALEZ–VALENCIA (Rosenthal, David) (Entered: 11/19/2021)
11/19/2021		MINUTE ORDER (paperless) GRANTING the Government's <u>72</u> Motion for Joinder of Defendants for Trial, upon consideration of the Government's motion, the defendants' memoranda in opposition, <i>see</i> <u>77</u> Def. Gerardo Gonzalez–Valencia's Resp. Opp'n Gov't's Mot. Joinder; Def.'s Mot. Opp'n Joinder, Criminal Case No. 16–192, ECF No. 20, the <u>80</u> Government's Reply in Support of Motion for Joinder of Defendants for Trial, and the arguments made by counsel at the Motion Hearing of November 19, 2021, for the reasons detailed on the record; DIRECTING that Criminal Case Nos. 16–65 and 16–192 be consolidated for all purposes; FURTHER DIRECTING that all filings in these consolidated cases should be made in Criminal Case No. 16–65; FURTHER DIRECTING the parties in the consolidated cases jointly to submit, by November 29, 2021, a proposed schedule for further proceedings in this consolidated matter; and NOTIFYING the parties that the pretrial conference currently scheduled for January 21, 2022, <i>see</i> Min. Order (May 21, 2021), will be converted into a status conference. Signed by Chief Judge Beryl A. Howell on November 19, 2021. (lcbah3) (Entered: 11/19/2021)
11/19/2021		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Motion Hearing as to GERARDO GONZALEZ–VALENCIA held on 11/19/2021 re <u>72</u> MOTION to Consolidate Cases filed by USA. Bond Status of Defendant: Defendant committed/commitment issued. Present: Defense Attorney: Stephen A. Best, Lilly A. Sanchez, Tiffany B. Lietz, and David L. Rosenthal; US Attorney: Brett C. Reynolds, Kaitlin Sahni, Kate M. Naseef, and Kirk K. Handrich; Interpreter: Teresa Salazar and Teresa Roman (sworn). Court Reporter: Elizabeth Saint–Loth. (ztg) (Entered: 11/19/2021)
11/23/2021		Set/Reset Deadlines/Hearings as to GERARDO GONZALEZ–VALENCIA, JOSE GONZALEZ–VALENCIA: Proposed schedule for further proceedings due by 11/29/2021; Status Conference scheduled for 1/21/2022, at 11:00 AM before Chief Judge Beryl A. Howell. (ztg) (Entered: 11/23/2021)
11/23/2021		Terminate Hearings as to GERARDO GONZALEZ–VALENCIA, JOSE GONZALEZ–VALENCIA: Pretrial Conference of 1/21/2022 converted to a Status Hearing. (ztg) (Entered: 11/23/2021)
11/23/2021	<u>83</u>	TRANSCRIPT OF PROCEEDINGS, in case as to GERARDO GONZALEZ–VALENCIA, JOSE GONZALEZ–VALENCIA, before Chief Judge Beryl A. Howell, held on 11–19–2021. Page Numbers: 1 – 52. Date of Issuance: 11–23–2021. Court Reporter: Elizabeth SaintLoth, Telephone number: 202–354–3242. Transcripts may be ordered by submitting the <u>Transcript Order Form</u>

		<p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 12/14/2021. Redacted Transcript Deadline set for 12/24/2021. Release of Transcript Restriction set for 2/21/2022.(Saint–Loth, Elizabeth) (Entered: 11/23/2021)</p>
12/06/2021	<u>86</u>	<p>RESPONSE TO ORDER OF THE COURT by USA as to GERARDO GONZALEZ–VALENCIA, JOSE GONZALEZ–VALENCIA re Order on Motion to Continue,, Set/Reset Deadlines, <i>regarding proposed trial schedule</i> (Sahni, Kaitlin) (Entered: 12/06/2021)</p>
12/09/2021		<p>MINUTE ORDER as to GERARDO GONZALEZ–VALENCIA and JOSE GONZALEZ–VALENCIA, DIRECTING the parties to appear at a Status Conference scheduled for January 7, 2022, at 10:00 AM via videoconference before Chief Judge Beryl A. Howell; it is FURTHER ORDERED that the Status Conference currently scheduled for January 21, 2022, is hereby VACATED. Signed by Chief Judge Beryl A. Howell on 12/9/2021. (ztg) Modified on 1/5/2022 (ztg). (Entered: 12/09/2021)</p>
01/06/2022		<p>Terminate Hearings as to GERARDO GONZALEZ–VALENCIA, JOSE GONZALEZ–VALENCIA: Hearing currently scheduled for January 7, 2022, VACATED. (ztg) (Entered: 01/06/2022)</p>
01/10/2022		<p>NOTICE OF RESCHEDULED HEARING as to GERARDO GONZALEZ–VALENCIA, JOSE GONZALEZ–VALENCIA. The parties shall take notice that a Status Hearing is scheduled for January 11, 2022, at 12:45 PM via videoconference before Chief Judge Beryl A. Howell. (ztg) (Entered: 01/10/2022)</p>
01/11/2022		<p>Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Status Hearing as to GERARDO GONZALEZ–VALENCIA and JOSE GONZALEZ–VALENCIA held via videoconference on 1/11/2022; Defendant Gerardo Gonzalez–Valencia agreed to participate via videoconference after consultation with counsel; Defendant Jose Gonzalez–Valencia was not present due to unforeseen circumstances, he was represented by counsel. Jury Trial scheduled for February 7, 2022, VACATED; a new Trial Scheduling Order will be entered by the Court. Time excluded under the Speedy Trial Act from 2/7/2022 until September 12, 2022, for all the reasons stated in open court and in the best interests of justice and those interests outweigh the interests of the public and the defendant in a speedy trial. Bond Status of Defendant: Defendant committed. Present via videoconference: Defense Attorneys: #1 Stephen A. Best, Lilly A. Sanchez, Tiffany B. Lietz (telephonically), David Rosenthal; #2 Alfred Guillaume III; US Attorneys: Kaitlin J. Sahni, Kate M. Naseef, and Kirk Handrich; Interpreter: Teresa Salazar. Court Reporter: Elizabeth Saint–Loth. (ztg) (Entered: 01/11/2022)</p>
01/11/2022		<p>MINUTE ORDER (paperless) as to GERARDO GONZALEZ–VALENCIA and JOSE GONZALEZ–VALENCIA, AMENDING, upon consideration of the parties' <u>86</u></p>

	<p>Response to Order of the Court and representations at the status conference in this matter held on January 11, 2022, the previously issued Scheduling Order, <i>see</i> Min. Order (May 21, 2021), as follows:</p> <p>(1) by March 31, 2022, the government shall file any filings as to matters requiring litigation under Section 4 of the Classified Information Procedures Act;</p> <p>(2) by June 24, 2022, the parties shall file any pretrial motions, including motions <i>in limine</i>; by July 8, 2022, any oppositions to pretrial motions shall be filed; by July 15, 2022, any replies to oppositions to pretrial motions shall be filed;</p> <p>(3) by July 15, 2022, the parties shall file their Joint Pretrial Statement. <i>See</i> <u>2</u> Standing Order ¶ 8;</p> <p>(4) on Tuesday, August 9, 2022 at 9:30 AM, the parties are directed to appear for a pretrial conference in Courtroom 22A before Chief Judge Beryl A. Howell;</p> <p>(5) on Monday, September 12, 2022 at 9:00 AM, the parties are directed to appear for jury selection in Courtroom 22A before Chief Judge Beryl A. Howell; and</p> <p>FURTHER GRANTING, for the reasons stated in open court during the January 11, 2022 status conference and without the government's opposition, defendant Gerardo Gonzalez–Valencia's request for expedited briefing of "two" dispositive pretrial motions reasserting the arguments defendant presented before consolidation in his <u>63</u> <u>64</u> Motion to Dismiss for Insufficient Evidence and <u>77</u> Response in Opposition to the Government's Motion for Joinder of Defendants for Trial; if any such motions are filed before the June 24, 2022 deadline for all other pretrial motions, any oppositions shall be filed within 14 days; and any replies shall be filed within 7 days of the filing of any oppositions. Signed by Chief Judge Beryl A. Howell on January 11, 2022. (lcbah2) (Entered: 01/11/2022)</p>
01/12/2022	<p>Set/Reset Deadlines/Hearings as to GERARDO GONZALEZ–VALENCIA, JOSE GONZALEZ–VALENCIA: Government's filings as to matters requiring litigation under Section 4 of the Classified Information Procedures Act due by 3/31/2022; pretrial motions, including motions in limine due by 6/24/2022; oppositions due by 7/8/2022; replies due by 7/15/2022; Pretrial Statement due by 7/15/2022; Pretrial Conference set for 8/9/2022 at 9:30 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell; Jury Trial set for 9/12/2022 at 9:00 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell. (ztg) (Entered: 01/12/2022)</p>
01/12/2022	<p>MINUTE ORDER (paperless), as to GERARDO GONZALEZ–VALENCIA, DENYING WITHOUT PREJUDICE, for the reasons discussed during the January 11, 2022 status conference and in light of the amended scheduling order now governing proceedings in this consolidated matter, <i>see</i> Minute Order (January 11, 2022), the following pending motions:</p> <p>(1) defendant's <u>30</u> Motion to Strike Improper Aliases and Related Evidence;</p> <p>(2) defendant's <u>31</u> Motion for Bill of Particulars;</p> <p>(3) defendant's <u>32</u> Motion for Release of <i>Brady</i> Materials;</p> <p>(4) defendant's <u>33</u> Motion to Exclude Evidence and Mention of the 2009 Shark Incident;</p>

		<p>(5) defendant's <u>34</u> Motion to Compel Disclosure Regarding Witnesses, Confidential Informants, and Cooperators;</p> <p>(6) defendant's <u>35</u> Motion to Dismiss the Indictment on Statute of Limitations Grounds;</p> <p>(7) defendant's <u>37</u> Motion <i>In Limine</i> No. 1;</p> <p>(8) government's <u>38</u> Motion for Hearing Pursuant to CIPA Section 2;</p> <p>(9) defendant's <u>61</u> Motion to Dismiss the Indictment for Improper Duplicity;</p> <p>(10) defendant's <u>62</u> Motion to Suppress Evidence;</p> <p>(11) defendant's <u>63</u> <u>64</u> Motion to Dismiss Case;</p> <p>(12) defendant's <u>67</u> Motion for Temporary Release Pending Trial. Signed by Chief Judge Beryl A. Howell on January 12, 2022. (lcbah2) (Entered: 01/12/2022)</p>
01/12/2022	<u>87</u>	MOTION to Withdraw as Attorney by David L. Rosenthal. by GERARDO GONZALEZ-VALENCIA. (Attachments: # <u>1</u> Text of Proposed Order)(Rosenthal, David) (Entered: 01/12/2022)
01/12/2022		MINUTE ORDER granting <u>87</u> Motion to Withdraw as Co-Counsel for Gerardo Gonzalez-Valencia. Upon consideration of the motion to withdraw, it is hereby ORDERED that Attorney David L. Rosenthal is permitted to withdraw as counsel for Defendant Gerardo Gonzalez-Valencia. SO ORDERED. Signed by Chief Judge Beryl A. Howell on 1/12/2022. (ztg) (Entered: 01/12/2022)
01/28/2022	<u>88</u>	<p>TRANSCRIPT OF PROCEEDINGS, in case as to GERARDO GONZALEZ-VALENCIA, JOSE GONZALEZ-VALENCIA, before Chief Judge Beryl A. Howell, held on 1-11-2022; Page Numbers: 1 – 21. Date of Issuance: 1-28-2022. Court Reporter: Elizabeth SaintLoth, Telephone number: 202-354-3242. Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 2/18/2022. Redacted Transcript Deadline set for 2/28/2022. Release of Transcript Restriction set for 4/28/2022.(Saint-Loth, Elizabeth) (Entered: 01/28/2022)</p>
03/31/2022	<u>91</u>	MOTION to Delete and Substitute Classified Information in Discovery Pursuant to the Classified Information Procedures Act filed by USA as to GERARDO

		GONZALEZ–VALENCIA, JOSE GONZALEZ–VALENCIA. (CLASSIFIED INFORMATION) (This document is SEALED and only available to authorized persons.) (zhsj) Modified to Remove Under Seal Per Request of Counsel on 4/1/2022 (zhsj). (Entered: 04/01/2022)
04/06/2022	<u>92</u>	Consent MOTION for Leave to File Excess Pages by GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Text of Proposed Order)(Best, Stephen) Modified Text on 4/7/2022 to Remove Defendant #2. (zhsj). (Entered: 04/06/2022)
04/06/2022		MINUTE ORDER granting <u>92</u> Defendant Gerardo Gonzalez–Valencia's Consent Motion for Leave to Exceed Page Limitation as to GERARDO GONZALEZ–VALENCIA (1). Signed by Chief Judge Beryl A. Howell on 4/6/2022. (ztg) (Entered: 04/06/2022)
04/11/2022	<u>93</u>	ORDER, as to GERARDO GONZALEZ–VALENCIA and JOSE GONZALEZ–VALENCIA, granting the government's <u>91</u> MOTION to Delete and Substitute Classified Information in Discovery Pursuant to the Classified Information Procedures Act. Signed by Chief Judge Beryl A. Howell on April 11, 2022. (lcbah2) (Entered: 04/11/2022)
04/28/2022	<u>97</u>	MOTION to Dismiss Case / <i>Defendant Gerardo Gonzalez–Valencia's Motion to Dismiss or, in the alternative, for In Camera Review, and Incorporated Memorandum of Points and Authorities (Redacted) [previously filed under seal as ECF No. 94–2]</i> by GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Exhibit C [previously filed under seal as ECF No. 94–5], # <u>2</u> Exhibit G [previously filed under seal as ECF No. 94–9], # <u>3</u> Exhibit H [previously filed under seal as ECF No. 94–10], # <u>4</u> Exhibit I [previously filed under seal as ECF No. 94–11], # <u>5</u> Exhibit L [previously filed under seal as ECF No. 94–14], # <u>6</u> Exhibit M [previously filed under seal as ECF No. 94–15], # <u>7</u> Exhibit P [previously filed under seal as ECF No. 94–18], # <u>8</u> Exhibit Q [previously filed under seal as ECF No. 94–19], # <u>9</u> Exhibit R [previously filed under seal as ECF No. 94–20], # <u>10</u> Exhibit S [previously filed under seal as ECF No. 94–21], # <u>11</u> Exhibit T [previously filed under seal as ECF No. 94–22], # <u>12</u> Exhibit U [previously filed under seal as ECF No. 94–23])(Best, Stephen) (Entered: 04/28/2022)
04/28/2022	98	MOTION for In Camera Review by GERARDO GONZALEZ–VALENCIA. (See Docket Entry <u>97</u> to View Document). (zhsj) (Entered: 04/29/2022)
04/29/2022	<u>99</u>	Memorandum in Opposition by USA as to GERARDO GONZALEZ–VALENCIA, JOSE GONZALEZ–VALENCIA re <u>97</u> MOTION to Dismiss Case / <i>Defendant Gerardo Gonzalez–Valencia's Motion to Dismiss or, in the alternative, for In Camera Review, and Incorporated Memorandum of Points and Authorities (Redacted) [previously filed under seal as ECF No. 94–2]</i> (Naseef, Kate) (Entered: 04/29/2022)
05/05/2022	<u>100</u>	MOTION for Leave to File Excess Pages / <i>Defendant Gerardo Gonzalez–Valencia's Motion for Leave to Exceed Page Limitation</i> by GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Proposed Order)(Best, Stephen) (Entered: 05/05/2022)
05/05/2022		MINUTE ORDER granting <u>100</u> Defendant Gerardo Gonzalez–Valencia's Motion for Leave to Exceed Page Limitation as to GERARDO GONZALEZ–VALENCIA (1). It is hereby ORDERED that Defendant Gerardo Gonzalez–Valencia shall file his Reply in Further Support of His Motion to Dismiss or, in the Alternative, for In Camera Review, and Incorporated Memorandum of Points and Authorities in excess of the twenty–five page limitation but not to exceed thirty–five pages. Signed by Chief Judge Beryl A. Howell on 5/5/2022. (ztg) (Entered: 05/05/2022)

05/12/2022	<u>103</u>	REPLY in Support by GERARDO GONZALEZ–VALENCIA re <u>97</u> MOTION to Dismiss Case / <i>Defendant Gerardo Gonzalez–Valencia's Motion to Dismiss or, in the alternative, for In Camera Review, and Incorporated Memorandum of Points and Authorities (Redacted)</i> [previously filed under seal as ECF No. 94–2] / <i>Defendant Gerardo Gonzalez–Valencia's Reply in Further Support of His Motion to Dismiss or, in the alternative, for In Camera Review, and Incorporated Memorandum of Points and Authorities</i> [previously filed under seal as ECF No. 101–2] (Attachments: # <u>1</u> Exhibit V [previously filed under seal as ECF No. 101–3], # <u>2</u> Exhibit W [previously filed under seal as ECF No. 101–4], # <u>3</u> Exhibit X [previously filed under seal as ECF No. 101–5], # <u>4</u> Exhibit Y [previously filed under seal as ECF No. 101–6])(Best, Stephen) (Entered: 05/12/2022)
05/27/2022		<p>MINUTE ORDER (paperless) GRANTING defendant Jose Gonzalez–Valencia's 104 Unopposed Motion to Continue Trial, VACATING the Scheduling Order entered on January 11, 2022, and ENTERING the following Scheduling Order:</p> <p>(1) on Wednesday, January 11, 2023, at 9:30 AM, the parties are directed to appear for a pretrial conference in Courtroom 22A before Chief Judge Beryl A. Howell; and</p> <p>(2) on Monday, January 23, 2023, at 9:30 AM, the parties are directed to appear for jury selection in Courtroom 22A before Chief Judge Beryl A. Howell.</p> <p>The parties are DIRECTED to file, by June 6, 2022, a joint status report proposing a schedule for any pre–trial motions or other proceedings and it is FURTHER ORDERED that time under the Speedy Trial Act shall be excluded from September 12, 2022 through January 23, 2022 in the best interests of justice and finding those interests outweigh the interests of the public and defendants in a speedy trial. Signed by Chief Judge Beryl A. Howell on May 27, 2022. (lcbah2) Modified date on 6/6/2022 (ztg). (Entered: 05/27/2022)</p>
05/27/2022		Set/Reset Deadlines/Hearings as to GERARDO GONZALEZ–VALENCIA, JOSE GONZALEZ–VALENCIA: Joint Status Report due by 6/6/2022; Pretrial Conference scheduled for 1/11/2023, at 9:30 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell; Jury Selection/Jury Trial scheduled for 1/23/2023, at 9:30 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell. (ztg) (Entered: 05/27/2022)
06/06/2022		<p>MINUTE ORDER (paperless) as to GERARDO GONZALEZ–VALENCIA and JOSE GONZALEZ–VALENCIA, AMENDING, upon consideration of the parties' 105 Notice of Joint Proposed Pretrial Schedule, the SCHEDULING ORDER previously entered on May 27, 2022, as follows:</p> <p>(1) by November 16, 2022, the parties shall file any pretrial motions, including motions <i>in limine</i>; by November 30, 2022, any oppositions to pretrial motions shall be filed; by December 7, 2022, any replies to oppositions to pretrial motions shall be filed;</p> <p>(2) by December 7, 2022, the parties shall file their Joint Pretrial Statement. <i>See</i> <u>2</u> Standing Order ¶ 8;</p> <p>(4) on Wednesday, January 11, 2023, at 9:30 AM, the parties are directed to appear for a pretrial conference in Courtroom 22A before Chief Judge Beryl A. Howell; and</p> <p>(5) on Monday, January 23, 2023, at 9:00 AM, the parties are directed to appear for jury</p>

		selection in Courtroom 22A before Chief Judge Beryl A. Howell. Signed by Chief Judge Beryl A. Howell on June 6, 2022. (lcbah2) (Entered: 06/06/2022)
06/07/2022		Set/Reset Deadlines/Hearings as to GERARDO GONZALEZ–VALENCIA, JOSE GONZALEZ–VALENCIA: Pretrial motions, including motions in limine, due by 11/16/2022; oppositions due by 11/30/2022; replies due by 12/7/2022; Pretrial Statement due by 12/7/2022; Pretrial Conference scheduled for 1/11/2023, at 9:30 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell; Jury Selection/Jury Trial scheduled for 1/23/2023, at 9:00 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell. (ztg) (Entered: 06/07/2022)
06/07/2022	<u>106</u>	REQUEST For Oral Hearing On His Motion To Dismiss Or, In The Alternative, For In Camera Review) by GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Text of Proposed Order)(Best, Stephen) Modified Text on 6/13/2022 (zhsj). (Entered: 06/07/2022)
06/07/2022	107	MOTION for In Camera Review by GERARDO GONZALEZ–VALENCIA. (See Docket Entry <u>106</u> to View Document) (zhsj) (Entered: 06/08/2022)
07/05/2022	<u>108</u>	MEMORANDUM AND ORDER, as to GERARDO GONZALEZ–VALENCIA, DENYING the defendant's <u>95</u> Motion to Dismiss the Indictment and DENYING AS MOOT defendant's <u>106</u> Request for Oral Hearing. See Memorandum and Order for further details. Signed by Chief Judge Beryl A. Howell on July 5, 2022. (lcbah2) (Entered: 07/05/2022)
07/15/2022		NOTICE OF RESCHEDULED HEARING as to GERARDO GONZALEZ–VALENCIA, JOSE GONZALEZ–VALENCIA. The parties shall take notice that the Pretrial Conference currently scheduled for January 11, 2023, is RESCHEDULED for January 13, 2023, at 9:30 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell. (ztg) (Entered: 07/15/2022)
07/19/2022	<u>109</u>	MOTION for Order Directing The Alexandria Sheriffs Office and The Alexandria Detention Center To Provide Defendant Gerardo Gonzalez– Valencia Weekly Video Access To His Counsel by GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order)(Best, Stephen) (Entered: 07/19/2022)
07/19/2022	<u>110</u>	NOTICE OF APPEAL (Interlocutory) by GERARDO GONZALEZ–VALENCIA re <u>108</u> Order., Memorandum Opinion., Filing fee \$ 505, receipt number ADCDC–9383202. Fee Status: Fee Paid. Parties have been notified. (Best, Stephen) (Entered: 07/19/2022)
07/19/2022	<u>111</u>	Emergency MOTION to Stay <i>Proceedings and Incorporated Memorandum of Points and Authorities</i> by GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Text of Proposed Order)(Best, Stephen) (Entered: 07/19/2022)
07/20/2022	<u>112</u>	NOTICE OF ATTORNEY APPEARANCE: Rachel O. Wolkinson appearing for GERARDO GONZALEZ–VALENCIA (Wolkinson, Rachel) (Entered: 07/20/2022)
07/20/2022	<u>113</u>	Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The Court of Appeals fee was paid as to GERARDO GONZALEZ–VALENCIA re <u>110</u> Notice of Appeal–Interlocutory. (zhsj) (Entered: 07/20/2022)
07/20/2022		MINUTE ORDER (paperless), as to GERARDO GONZALEZ–VALENCIA, DIRECTING the government to file, by July 29, 2022, any opposition to defendant's <u>109</u>

		Motion for Order Directing Weekly Video Access to Counsel and <u>111</u> Emergency Motion to Stay Proceedings. Defendant shall file any reply in further support of these motions by August 4, 2022. Signed by Chief Judge Beryl A. Howell on July 20, 2022. (lcbah2) (Entered: 07/20/2022)
07/20/2022		Set/Reset Deadlines as to GERARDO GONZALEZ–VALENCIA: Government's opposition, if any, to <u>109</u> Motion for Order Directing Weekly Video Access to Counsel and <u>111</u> Emergency Motion to Stay Proceedings due by 7/29/2022; Defendant's reply, if any, due by 8/4/2022. (ztg) (Entered: 07/20/2022)
07/22/2022		USCA Case Number as to GERARDO GONZALEZ–VALENCIA 22–3048 for <u>110</u> Notice of Appeal – Interlocutory filed by GERARDO GONZALEZ–VALENCIA. (zhsj) (Entered: 07/26/2022)
07/29/2022	<u>118</u>	Memorandum in Opposition by USA as to GERARDO GONZALEZ–VALENCIA re <u>111</u> Emergency MOTION to Stay <i>Proceedings and Incorporated Memorandum of Points and Authorities</i> (Sahni, Kaitlin) (Entered: 07/29/2022)
08/04/2022	<u>119</u>	REPLY TO OPPOSITION to Motion by GERARDO GONZALEZ–VALENCIA re <u>111</u> Emergency MOTION to Stay <i>Proceedings and Incorporated Memorandum of Points and Authorities /Defendant Gerardo Gonzalez–Valencias Reply in Further Support of his Emergency Motion to Stay Proceedings and Incorporated Memorandum of Points and Authorities</i> (Best, Stephen) (Entered: 08/04/2022)
08/24/2022		MINUTE ORDER (paperless) DENYING defendant GERARDO GONZALEZ–VALENCIA's <u>109</u> Motion for Order Directing the Alexandria Sheriff's Office and the Alexandria Detention Center to Provide Defendant Gerardo Gonzalez–Valencia Weekly Video Access to His Counsel. Per Alexandria Detention Center policy, defendant may have an interpreter present at any in–person attorney–client meetings and his legal team may call the Detention Center's attorney–client phone line at (703) 746–5050 to speak with defendant. <i>See</i> Def. Gerardo Gonzalez–Valencia's Mot. Ex. A at 3–4 (Alexandria Sheriff's Office Information for Attorneys). Signed by Chief Judge Beryl A. Howell on August 24, 2022. (lcbah2) (Entered: 08/24/2022)
09/01/2022	<u>120</u>	MEMORANDUM OPINION AND ORDER, as to GERARDO GONZALEZ–VALENCIA, DENYING defendant's <u>111</u> Emergency Motion to Stay Proceedings. See Memorandum Opinion and Order for further details. Signed by Chief Judge Beryl A. Howell on September 1, 2022. (lcbah2) (Entered: 09/01/2022)
11/08/2022	<u>126</u>	NOTICE OF WITHDRAWAL OF APPEARANCE by USA as to GERARDO GONZALEZ–VALENCIA, JOSE GONZALEZ–VALENCIA (Naseef, Kate) (Entered: 11/08/2022)
11/08/2022	<u>127</u>	Joint MOTION to Continue <i>Motions Deadline</i> by USA as to GERARDO GONZALEZ–VALENCIA. (Sahni, Kaitlin) (Entered: 11/08/2022)
11/09/2022		MINUTE ORDER as to GERARDO GONZALEZ–VALENCIA (1), GRANTING <u>127</u> Joint Motion to Continue Motions Deadline. Upon consideration of the joint motion, it is hereby ORDERED that the deadline to file pretrial motions, including motions in limine, shall be EXTENDED to November 23, 2022. Signed by Chief Judge Beryl A. Howell on 11/9/2022. (ztg) (Entered: 11/09/2022)
11/21/2022	<u>133</u>	Joint MOTION to Continue <i>Motions Deadline</i> by USA as to GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Text of Proposed Order)(Sahni, Kaitlin)

		(Entered: 11/21/2022)
11/21/2022		MINUTE ORDER as to GERARDO GONZALEZ–VALENCIA (1), GRANTING Second Joint Motion to Continue Motions Deadline. Upon consideration of the joint motion, it is hereby ORDERED that the deadlines to file pretrial motions, including motions in limine, shall be EXTENDED as follows: pretrial motions, including motions in limine, shall be filed by December 9, 2022; oppositions shall be filed by December 16, 2022, and replies shall be filed on or before December 23, 2022; it is FURTHER ORDERED that the dates for the Pretrial Conference and Trial shall remain the same as set out in the Scheduling Order entered on June 6, 2022. It is SO ORDERED. Signed by Chief Judge Beryl A. Howell on 11/21/2022. (ztg) (Entered: 11/21/2022)
12/05/2022		NOTICE OF HEARING as to GERARDO GONZALEZ–VALENCIA. The parties shall take notice that a Plea Hearing is scheduled for 12/22/2022, at 9:00 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell. (ztg) Modified type of hearing on 12/12/2022 (ztg). (Entered: 12/05/2022)
12/16/2022	<u>138</u>	NOTICE of Filing Joint Submission Regarding Sentencing Guidelines by USA as to GERARDO GONZALEZ–VALENCIA (Sahni, Kaitlin) (Entered: 12/16/2022)
12/16/2022	<u>139</u>	STATEMENT OF FACTS in Support of Plea Agreement by GERARDO GONZALEZ–VALENCIA (Best, Stephen) (Entered: 12/16/2022)
12/21/2022		Set/Reset Hearings as to GERARDO GONZALEZ–VALENCIA: Plea Hearing RESCHEDULED for 12/22/2022, at 1:30 PM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell. (ztg) (Entered: 12/21/2022)
12/22/2022		Minute Entry for proceedings held before Chief Judge Beryl A. Howell: Plea Hearing as to GERARDO GONZALEZ–VALENCIA held on 12/22/2022. Defendant sworn, plea of guilty entered by GERARDO GONZALEZ–VALENCIA to Count 1 of the Indictment; case referred to the Probation Officer for presentence investigation; Sentencing Hearing scheduled for 4/6/2023, at 9:30 AM in Courtroom 22A– In Person before Chief Judge Beryl A. Howell; oral motion by counsel for the government to dismiss the methamphetamine portion of the Count on Count 1, granted; Scheduling Order forthcoming. The trial motions schedule and trial in this case are vacated. Bond Status of Defendant: Defendant committed/commitment issued. Present: Defense Attorney: Stephen A. Best, Rachel O. Wolkinson, and Geoffrey Coll; US Attorney: Kaitlin J. Sahni and Kirk K. Handrich; Interpreter: Teresa Salazar. Court Reporter: Elizabeth Saint–Loth. (ztg) Modified to add trial vacatur on 12/27/2022 (ztg). (Entered: 12/22/2022)
12/22/2022		MINUTE ORDER (paperless), as to GERARDO GONZALEZ–VALENCIA, ISSUING the following SCHEDULING ORDER for the sentencing hearing, scheduled for April 6, 2023: (1) By March 6, 2023, the government shall produce to defendants any evidence relevant to issues raised at sentencing; and (2) By March 23, 2023, the parties shall file with the Court a list of any witness anticipated to testify at sentencing, along with a summary of each witness's prospective testimony. Signed by Chief Judge Beryl A. Howell on December 22, 2022. (lcbah2) (Entered: 12/22/2022)

12/22/2022		Set/Reset Deadlines as to GERARDO GONZALEZ–VALENCIA: Government's response to Order of the Court due by 3/6/2023; parties' response to Order of the Court due by 3/23/2023. (ztg) (Entered: 12/22/2022)
12/22/2022		Terminate Deadlines and Hearings as to GERARDO GONZALEZ–VALENCIA, JOSE GONZALEZ–VALENCIA: Trial motions, pretrial conference, jury selection/trial, VACATED. (ztg) (Entered: 12/27/2022)
02/15/2023	<u>144</u>	<p>TRANSCRIPT OF PROCEEDINGS, in case as to GERARDO GONZALEZ–VALENCIA, before Chief Judge Beryl A. Howell, held on 12–22–2022. Page Numbers: 1 – 27. Date of Issuance: 2–15–2023. Court Reporter: Elizabeth SaintLoth, Telephone number: 202–354–3242. Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 3/8/2023. Redacted Transcript Deadline set for 3/18/2023. Release of Transcript Restriction set for 5/16/2023.(Saint–Loth, Elizabeth) (Entered: 02/15/2023)</p>
02/15/2023	<u>146</u>	RESPONSE by GERARDO GONZALEZ–VALENCIA re <u>143</u> Draft Presentence Investigation Report (Best, Stephen) (Entered: 02/15/2023)
03/14/2023	<u>151</u>	SUPPLEMENTAL Motion to Delete and Substitute Classified Information in Discovery Pursuant to the Classified Information Procedures Act by USA as to GERARDO GONZALEZ–VALENCIA. (CLASSIFIED INFORMATION) (zhsj) (Entered: 03/14/2023)
03/20/2023	<u>152</u>	UNCLASSIFIED ORDER as to GERARDO GONZALEZ–VALENCIA, GRANTING the government's <u>151</u> Supplemental Motion to Delete and Substitute Classified Information in Discovery Pursuant to the Classified Information Procedures Act. See Order for further details. Signed by Judge Beryl A. Howell on March 20, 2023. (lcbah2) Modified to add defendant's name on 3/20/2023 (ztg). (Entered: 03/20/2023)
03/23/2023	<u>153</u>	SENTENCING MEMORANDUM by USA as to GERARDO GONZALEZ–VALENCIA (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Sahni, Kaitlin) (Entered: 03/23/2023)
03/23/2023	<u>157</u>	MOTION for Forfeiture of Property by USA as to GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Text of Proposed Order)(Naseef, Kate) (Entered: 03/23/2023)
03/29/2023		NOTICE OF RESCHEDULED HEARING as to GERARDO GONZALEZ–VALENCIA (1). The parties shall take notice that the Sentencing Hearing currently scheduled for April 6, 2023, is RESCHEDULED for May 2 and May 3, 2023,

		at 9:30 AM in COURTROOM 26A, Fourth Floor – In Person before Judge Beryl A. Howell. (ztg) (Entered: 03/29/2023)
04/06/2023	<u>158</u>	Memorandum in Opposition by GERARDO GONZALEZ–VALENCIA re <u>157</u> Motion for Forfeiture of Property / <i>Gerardo Gonzalez–Valencia's Opposition to Motion for Entry of Order of Forfeiture</i> (Best, Stephen) (Entered: 04/06/2023)
04/06/2023	<u>159</u>	SENTENCING MEMORANDUM by GERARDO GONZALEZ–VALENCIA (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2 [Redacted], # <u>3</u> Exhibit 3 [Redacted], # <u>4</u> Exhibit 4 [Redacted], # <u>5</u> Exhibit 5 [Redacted], # <u>6</u> Exhibit 6 [Redacted], # <u>7</u> Exhibit 7 [Redacted], # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10 [Redacted], # <u>11</u> Exhibit 11 [Redacted], # <u>12</u> Exhibit 12 [Redacted], # <u>13</u> Exhibit 13 [Redacted], # <u>14</u> Exhibit 14 [Redacted], # <u>15</u> Exhibit 15 [Redacted], # <u>16</u> Exhibit 16 [Redacted], # <u>17</u> Exhibit 17 [Redacted], # <u>18</u> Exhibit 18 [Redacted], # <u>19</u> Exhibit 19 [Redacted], # <u>20</u> Exhibit 20 [Redacted], # <u>21</u> Exhibit 21 [Redacted], # <u>22</u> Exhibit 22 [Redacted], # <u>23</u> Exhibit 23 [Redacted], # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26 [Redacted], # <u>27</u> Exhibit 27 [Redacted], # <u>28</u> Exhibit 28 [Redacted], # <u>29</u> Exhibit 29, # <u>30</u> Exhibit 30A, # <u>31</u> Exhibit 30B, # <u>32</u> Exhibit 31A, # <u>33</u> Exhibit 31B)(Best, Stephen) (Entered: 04/06/2023)
04/10/2023	<u>160</u>	NOTICE of Filing Letter in Support of Gerardo Gonzalez–Valencia for Sentencing by GERARDO GONZALEZ–VALENCIA (Best, Stephen) (Entered: 04/10/2023)
04/18/2023	<u>161</u>	STIPULATION is admissible in evidence as a Defendant Exhibit at sentencing (Best, Stephen) (Entered: 04/18/2023)
04/19/2023	<u>162</u>	MOTION for Permission to Use Courtroom Technology at the May 2, 2023 and May 3, 2023 Sentencing Hearing by GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order re Permission to Use Courtroom Technology)(Best, Stephen) (Entered: 04/19/2023)
04/19/2023	<u>163</u>	NOTICE OF ATTORNEY APPEARANCE: Geoffrey H. Coll appearing for GERARDO GONZALEZ–VALENCIA (Coll, Geoffrey) (Entered: 04/19/2023)
04/20/2023		<p>RESOLVED...NOTICE of Provisional/Government Not Certified Status re <u>163</u> NOTICE OF ATTORNEY APPEARANCE: Geoffrey H. Coll appearing for GERARDO GONZALEZ–VALENCIA (Coll, Geoffrey).</p> <p>Your attorney renewal/government certification has not been received. As a result, your membership with the U.S. District & Bankruptcy Courts for the District of Columbia is not in good standing, and you are not permitted to file. Pursuant to Local Criminal Rule 57.21.1, you must immediately correct your membership status by following the appropriate instructions on this page of our website: https://www.dcd.uscourts.gov/attorney-renewal.</p> <p>Please be advised that the presiding judge in this case has been notified that you are currently not in good standing to file in this court. Renewal Due by 4/27/2023. (zbaj) Modified on 4/21/2023 (zbaj). (Entered: 04/20/2023)</p>
04/24/2023		MINUTE ORDER (paperless), as to GERARDO GONZALEZ–VALENCIA, NOTIFYING the parties that, due to an unexpected conflict, the sentencing hearing scheduled to begin on May 2, 2023, at 9:30 AM is RESCHEDULED to begin on May 2, 2023, at 1:00 PM in COURTROOM 26A, Fourth Floor In Person before Judge Beryl A. Howell. The parties are further DIRECTED to confer and submit, by 12:00 PM on April 26, 2023, a joint statement advising the Court whether the parties will seek an opportunity to submit post–hearing briefing, and if so, a proposed briefing schedule and

		three available dates for sentencing in June or July 2023. Signed by Judge Beryl A. Howell on April 24, 2023. (lcbah2) (Entered: 04/24/2023)
04/24/2023		Set/Reset Deadlines/Hearings as to GERARDO GONZALEZ–VALENCIA: Sentencing Hearing scheduled for 5/2/2023, at 1:00 PM in Courtroom 26A– In Person before Judge Beryl A. Howell; joint statement due by 12:00 PM on 4/26/2023. (ztg) (Entered: 04/24/2023)
04/24/2023	<u>165</u>	MOTION for Leave to Appear Pro Hac Vice Natasha M. Ertzbischoff Filing fee \$ 100, receipt number ADCDC–10022002. Fee Status: Fee Paid. by GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Application for Admission Pro Hac Vice, # <u>2</u> Exhibit A – NY Certificate of Good Standing, # <u>3</u> Text of Proposed Order)(Best, Stephen) (Entered: 04/24/2023)
04/24/2023		Set/Reset Hearings as to GERARDO GONZALEZ–VALENCIA: Sentencing Hearing scheduled for 5/2/2023 at 1:00 PM in Courtroom 26A– In Person before Judge Beryl A. Howell. (ztg) (Entered: 04/28/2023)
04/25/2023	<u>166</u>	RESPONSE by USA as to GERARDO GONZALEZ–VALENCIA re Order,, (Sahni, Kaitlin) (Entered: 04/25/2023)
04/25/2023		MINUTE ORDER (paperless), as to GERARDO GONZALEZ–VALENCIA, GRANTING defendant's <u>165</u> Motion for Admission <i>Pro Hac Vice</i> . Natasha M. Ertzbischoff may enter an appearance <i>pro hac vice</i> for the purpose of representing defendant in this action. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCrR 44.5(a). Click for instructions. Signed by Judge Beryl A. Howell on April 25, 2023. (lcbah2) (Entered: 04/25/2023)
04/25/2023		MINUTE ORDER (paperless), as to GERARDO GONZALEZ–VALENCIA, upon consideration of the parties' <u>166</u> Joint Response to April 24, 2023 Minute Order and the available times on the Court's schedule, ISSUING the following SCHEDULING ORDER: (1) By June 2, 2023, the government shall submit any supplemental brief in aid of sentencing; (2) By June 16, 2023, defendant shall submit any response to the government's supplemental brief; (3) By June 23, 2023, the government shall submit any reply; and (4) On July 13, 2023, at 9:30 A.M., the parties are DIRECTED to appear in–person in Courtroom 26A for sentencing in this matter. Signed by Judge Beryl A. Howell on April 25, 2023. (lcbah2) (Entered: 04/25/2023)
04/26/2023	<u>167</u>	NOTICE OF ATTORNEY APPEARANCE: Natasha Ertzbischoff appearing for GERARDO GONZALEZ–VALENCIA (Ertzbischoff, Natasha) (Entered: 04/26/2023)
04/27/2023		Set/Reset Hearings as to GERARDO GONZALEZ–VALENCIA: Sentencing Hearing RESCHEDULED for 7/21/2023, at 9:30 AM in Courtroom 26A– In Person before Judge Beryl A. Howell. (ztg) (Entered: 04/27/2023)
04/27/2023		Set/Reset Deadlines as to GERARDO GONZALEZ–VALENCIA: Government's supplemental brief in aid of sentencing due by 6/2/2023; defendant's response due by

		6/16/2023; government's reply, if any, due by 6/23/2023; Sentencing Hearing rescheduled for July 21, 2023, at 9:30 AM in Courtroom 26A, in person, before Judge Beryl A. Howell. (ztg) (Entered: 04/27/2023)
05/02/2023		Minute Entry for proceedings held before Judge Beryl A. Howell: Presentence Hearing (Day 1) as to GERARDO GONZALEZ–VALENCIA (1) held on 5/2/2023. Presentence Hearing (Day 2) scheduled for 5/3/2023, at 9:00 AM in Courtroom 26A– In Person before Judge Beryl A. Howell. Bond Status of Defendant: Defendant committed/commitment issued. Present: Defense Attorneys: Stephen Best, Geoffrey H. Coll, Lilly A. Sanchez, Natasha Ertzbischoff; US Attorneys: Kaitlin J. Sahni, Kate M. Naseef, Kirk K. Handrich; Interpreters: Victoria Dopazo and Katherine Raftopoulos; Government's Witness: Oscar Nava Valencia (testimony continued). (ztg) (Entered: 05/02/2023)
05/03/2023		Minute Entry for proceedings held before Judge Beryl A. Howell: Presentence Hearing as to GERARDO GONZALEZ–VALENCIA held on 5/3/2023. Presentence Hearing continued to 5/4/2023, at 9:00 AM in Courtroom 26A– In Person before Judge Beryl A. Howell. Bond Status of Defendant: Defendant committed/commitment issued. Present: Defense Attorneys: Stephen Best, Geoffrey H. Coll, Lilly A. Sanchez, Natasha Ertzbischoff; Rachel O. Wolkinson; US Attorneys: Kaitlin J. Sahni, Kate M. Naseef, Kirk K. Handrich; Probation Officer: Aidee V. Gavito; Interpreters: Victoria Dopazo and Katherine Raftopoulos; Government's Witnesses: Oscar Nava Valencia (testimony resumed and concluded); Jose Maria Guizar Valencia; Elpidio Mojarro Ramirez. Defense Witness: James Holohan. Court Reporter: Elizabeth Saint–Loth. (ztg) (Entered: 05/03/2023)
05/04/2023		Minute Entry for proceedings held before Judge Beryl A. Howell: Presentence Hearing (Day 3) as to GERARDO GONZALEZ–VALENCIA held on 5/4/2023. Bond Status of Defendant: Defendant committed/commitment issued. Present: Defense Attorneys: Stephen Best, Geoffrey H. Coll, Lilly A. Sanchez, Rachel O. Wolkinson, Natasha Ertzbischoff; US Attorneys: Kaitlin J. Sahni, Kate M. Naseef, Kirk K. Handrich; Interpreters: Victoria Dopazo and Katherine Raftopoulos; Government's Witness: Special Agent Kevin Novick; Defendant's Witness: Investigator Joseph K. Smith. (ztg) (Entered: 05/04/2023)
05/04/2023	<u>168</u>	EXHIBIT LOG of Exhibits presented by USA and GERARDO GONZALEZ–VALENCIA at the Presentence Hearing of 5/2/2023 through 5/4/2023. (ztg) (Entered: 05/05/2023)
05/22/2023	<u>169</u>	MOTION for Continuance of Briefing Schedule by USA as to GERARDO GONZALEZ–VALENCIA. (Naseef, Kate) Modified Event and Text on 5/23/2023 (zhsj). (Entered: 05/22/2023)
05/22/2023		MINUTE ORDER as to GERARDO GONZALEZ–VALENCIA (1), GRANTING <u>169</u> Joint Motion to Continue Briefing Deadline. Upon consideration of the joint motion, it is hereby ORDERED that the supplemental sentencing briefing deadlines shall be CONTINUED; therefore, the government shall submit a supplemental brief in aid of sentencing by June 16, 2023; the defendant shall submit a response by June 30, 2023; and the government shall submit a reply by July 12, 2023. SO ORDERED. Signed by Judge Beryl A. Howell on 5/22/2023. (ztg) (Entered: 05/22/2023)
06/16/2023	<u>170</u>	SUPPLEMENTAL <u>153</u> SENTENCING MEMORANDUM by USA as to GERARDO GONZALEZ–VALENCIA (Naseef, Kate) Modified on 6/21/2023 (zhsj). (Entered: 06/16/2023)

06/16/2023	<u>172</u>	MOTION For Preliminary Order of Forfeiture And Brief In Support Thereof by USA as to GERARDO GONZALEZ–VALENCIA. (Attachments: # <u>1</u> Text of Proposed Order)(Naseef, Kate) (Entered: 06/16/2023)
06/30/2023	<u>173</u>	<p>TRANSCRIPT OF PROCEEDINGS, in case as to GERARDO GONZALEZ–VALENCIA, before Judge Beryl A. Howell, held on 05–02–2023. Page Numbers: 1 – 113. Date of Issuance: 6–30–2023. Court Reporter: Elizabeth Saint–Loth, Telephone number: 202–354–3242. Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 7/21/2023. Redacted Transcript Deadline set for 7/31/2023. Release of Transcript Restriction set for 9/28/2023.(Saint–Loth, Elizabeth) (Entered: 06/30/2023)</p>
06/30/2023	<u>174</u>	<p>TRANSCRIPT OF PROCEEDINGS in case as to GERARDO GONZALEZ–VALENCIA, before Judge Beryl A. Howell, held on 05–03–2023. Page Numbers: 1 – 191. Date of Issuance: 6–30–2023. Court Reporter: Elizabeth Saint–Loth, Telephone number: 202–354–3242. Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 7/21/2023. Redacted Transcript Deadline set for 7/31/2023. Release of Transcript Restriction set for 9/28/2023.(Saint–Loth, Elizabeth) (Entered: 06/30/2023)</p>
06/30/2023	<u>175</u>	TRANSCRIPT OF PROCEEDINGS in case as to GERARDO GONZALEZ–VALENCIA, before Judge Beryl A. Howell, held on 05–04–2023. Page Numbers: 1 – 201. Date of Issuance: 6–30–2023. Court Reporter: Elizabeth Saint–Loth, Telephone number: 202–354–3242. Transcripts may be ordered by submitting the <u>Transcript Order Form</u>

		<p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 7/21/2023. Redacted Transcript Deadline set for 7/31/2023. Release of Transcript Restriction set for 9/28/2023.(Saint–Loth, Elizabeth) (Entered: 06/30/2023)</p>
06/30/2023	<u>177</u>	Memorandum in Opposition by GERARDO GONZALEZ–VALENCIA re <u>172</u> Motion for Miscellaneous Relief <i>Opposition to Motion for Entry of Order of Forfeiture</i> (Best, Stephen) (Entered: 06/30/2023)
06/30/2023		MINUTE ORDER as to GERARDO GONZALEZ–VALENCIA, GRANTING <u>176</u> Sealed Motion for Leave to File Document Under Seal as to GERARDO GONZALEZ–VALENCIA (1). Upon consideration of the Defendant's sealed motion, it is hereby ORDERED that Gerardo Gonzalez–Valencia's Post–Hearing Response Brief in Aid of Sentencing, and accompanying exhibits shall be sealed in this case. It is FURTHER ORDERED that the defendant shall file on the public docket, in a week, a version with sensitive material redacted. Signed by Judge Beryl A. Howell on 6/30/2023. (ztg) (Entered: 06/30/2023)
07/07/2023	<u>179</u>	RESPONSE by GERARDO GONZALEZ–VALENCIA re <u>170</u> Sentencing Memorandum [Redacted] <i>Gerardo Gonzalez–Valencia's Post–Hearing Response Brief in Aid of Sentencing</i> (Attachments: # <u>1</u> Exhibit D, # <u>2</u> Exhibit G, # <u>3</u> Exhibit S, # <u>4</u> Exhibit T, # <u>5</u> Exhibit U, # <u>6</u> Exhibit V, # <u>7</u> Exhibit W)(Best, Stephen) (Entered: 07/07/2023)
07/12/2023	<u>180</u>	Reply in Support of <u>170</u> Supplemental Sentencing Memorandum by USA as to GERARDO GONZALEZ–VALENCIA (Sahni, Kaitlin) Modified Text on 7/12/2023 (zhsj). (Entered: 07/12/2023)
07/12/2023	<u>181</u>	REPLY in Support by USA as to GERARDO GONZALEZ–VALENCIA re <u>172</u> MOTION For Preliminary Order of Forfeiture And Brief In Support Thereof (Naseef, Kate) (Entered: 07/12/2023)
07/18/2023	<u>182</u>	PRELIMINARY ORDER OF FORFEITURE as to GERARDO GONZALEZ–VALENCIA. See Order for further details. Signed by Judge Beryl A. Howell on July 18, 2023. (lcbah2) (Entered: 07/18/2023)
07/21/2023		Minute Entry for proceedings held before Judge Beryl A. Howell: Sentencing held on 7/21/2023 as to GERARDO GONZALEZ–VALENCIA. Defendant sentenced on Count 1 to serve a term of life imprisonment; a \$100.00 special assessment imposed; imposition of a fine waived; money judgment in the amount of \$341,000,000 entered. Oral request by counsel for the defendant for a recommendation for prison camp placement in California, granted. Defendant remanded to the custody of the U.S. Marshals. Bond Status of Defendant: Defendant committed/commitment issued. Present:

		Defense Attorneys: Stephen Best, Geoffrey H. Coll, Lilly A. Sanchez, Natasha Ertzbischoff, Tiffany B. Lietz; US Attorneys: Kaitlin J. Sahni, Kate M. Naseef, Kirk K. Handrich; Probation Officer: Aidee V. Gavito; Interpreter: Teresa Salazar. Court Reporter: Christine Asif. (Entered: 07/21/2023)
07/21/2023	<u>183</u>	FINAL ORDER OF FORFEITURE as to GERARDO GONZALEZ–VALENCIA. Signed by Judge Beryl A. Howell on July 21, 2023. (lcbah2) (Entered: 07/21/2023)
07/21/2023	<u>184</u>	JUDGMENT as to GERARDO GONZALEZ–VALENCIA. Statement of Reasons Not Included. Signed by Judge Beryl A. Howell on 7/21/2023. (Attachments: # <u>1</u> Final Order of Forfeiture for Money Judgment) (zhsj) (Entered: 07/24/2023)
		<i>Main Document</i>
		<i>Attachment # 1 Final Order of Forfeiture for Money Judgment</i>
07/21/2023	<u>185</u>	STATEMENT OF REASONS as to GERARDO GONZALEZ–VALENCIA re <u>184</u> Judgment Access to the PDF Document is restricted per Judicial Conference Policy. Access is limited to Counsel of Record and the Court. Signed by Judge Beryl A. Howell on 7/21/2023. (zhsj) (Entered: 07/24/2023)
07/26/2023	<u>186</u>	NOTICE OF APPEAL – Final Judgment by GERARDO GONZALEZ–VALENCIA re <u>184</u> Judgment. Filing fee \$ 505, receipt number ADCDC–10232010. Fee Status: Fee Paid. Parties have been notified. (Best, Stephen) (Entered: 07/26/2023)

United States District Court for the District of Columbia

UNITED STATES OF AMERICA

vs.

Gerardo Gonzalez-Valencia

Criminal No. 16-cr-00065-BAH

NOTICE OF APPEAL

Name and address of appellant:

Gerardo Gonzalez-Valencia

Name and address of appellant's attorney:

Stephen A. Best (DC Bar No. 428447)
Brown Rudnick LLP
601 Thirteenth Street NW Suite 600
Washington, D.C. 20005

Offense: Conspiracy to Distribute 5 Kilograms or More Cocaine, Aiding and Abetting.

Concise statement of judgment or order, giving date, and any sentence:

Judgment entered in this action sentencing Gerardo Gonzalez-Valencia to life imprisonment on July 24, 2023 [ECF No. 184]

Name and institution where now confined, if not on bail: Rappahannock Regional Jail

I, the above named appellant, hereby appeal to the United States Court of Appeals for the District of Columbia Circuit from the above-stated judgment.

July 26, 2023

DATE

Gerardo Gonzalez-Valencia

APPELLANT

Stephen A. Best

ATTORNEY FOR APPELLANT

GOVT. APPEAL, NO FEE ☐
CJA, NO FEE ☐
PAID USDC FEE ☒
PAID USCA FEE ☐

Does counsel wish to appear on appeal?

YES ☒

NO ☐

Has counsel ordered transcripts?

YES ☒

NO ☐

Is this appeal pursuant to the 1984 Sentencing Reform Act?

YES ☒

NO ☐

FILED

UNITED STATES DISTRICT COURT

JUL 21 2023

District of Columbia

Clerk, U.S. District and
Bankruptcy Courts

UNITED STATES OF AMERICA

v.

GERARDO GONZALEZ-VALENCIA
a/k/a Gerdido Gonzalez, Gerardo Valencia
Gonzalez, Gerardo Valencia-Gonzalez, Geraldo
Gonzalez, Gerardo Gonzalez V, Lalo Valencia-
Gonzalez, Geraldo Valencia-Gonzalez

JUDGMENT IN A CRIMINAL CASE

Case Number: 16CR65-01(BAH)

USM Number: 35727-016

Stephen A. Best

Defendant's Attorney

THE DEFENDANT:

☒ pleaded guilty to count(s) 1 of the Indictment filed on 4/19/2016

☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.

☐ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
21 USC 959(a), 960(b)(1), and 963, 18 USC 2	Conspiracy to Distribute 5 Kilograms or More Cocaine, and 500 Grams or More of Methamphetamine, for Importation into the United States, Aiding and Abetting.	4/19/2016	1

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____

☐ Count(s) _____ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

7/21/2023

Date of Imposition of Judgment

Signature of Judge

Beryl A. Howell

Beryl A. Howell, U.S. District Judge

Name and Title of Judge

Date

July 21, 2023

DEFENDANT: GERARDO GONZALEZ-VALENCIA
CASE NUMBER: 16CR65-01(BAH)

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:
LIFE IMPRISONMENT as to Count 1.

☒ The court makes the following recommendations to the Bureau of Prisons:
That the Bureau of Prisons designate incarceration at a facility in California.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____.

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____.

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: GERARDO GONZALEZ-VALENCIA
CASE NUMBER: 16CR65-01(BAH)

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
TOTALS	\$ 100.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

☐ The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss***</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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TOTALS	\$ _____ 0.00	\$ _____ 0.00
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☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

** Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

*** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: GERARDO GONZALEZ-VALENCIA
CASE NUMBER: 16CR65-01(BAH)

ADDITIONAL TERMS FOR CRIMINAL MONETARY PENALTIES

Special Assessment - The defendant is ordered to pay \$100.00 in accordance with 18 USC 3013.

THE COURT FINDS that the defendant does not have the ability to pay a fine and, therefore, waives imposition of a fine in this case.

Forfeiture - In accordance with this Court's Preliminary Order of Forfeiture, issued on July 17, 2023, the defendant is also ordered to pay a money judgment in the United States in the amount of \$341,000,000.

DEFENDANT: GERARDO GONZALEZ-VALENCIA
CASE NUMBER: 16CR65-01(BAH)

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A ☒ Lump sum payment of \$ 100.00 due immediately, balance due
- ☐ not later than _____, or
☒ in accordance with ☐ C, ☐ D, ☐ E, or ☒ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:
The defendant is ordered to pay a special assessment of \$100.00 in accordance with 18 USC 3013 to the Clerk of the Court for the U.S. District Court, 333 Constitution Avenue, NW, Washington, DC 20001.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Case Number
Defendant and Co-Defendant Names
(including defendant number)

Total Amount

Joint and Several
Amount

Corresponding Payee,
if appropriate

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☒ The defendant shall forfeit the defendant's interest in the following property to the United States:
A money judgment to the United States in the amount of \$341,000,000.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVT A assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

JUL 21 2023

**Clerk, U.S. District and
Bankruptcy Courts**

UNITED STATES OF AMERICA

v.

Criminal Action No. 16-65-1 (BAH)

GERARDO GONZALEZ-VALENCIA,
also known as "Lalo," "Flaco,"
"Silver," "Silverio," "Eduardo," and
"Laline"

Judge Beryl A. Howell

Defendant.

FINAL ORDER OF FORFEITURE FOR MONEY JUDGMENT

WHEREAS, on July 18, 2023, this Court, pursuant to Rule 32.2(b)(1) of the Federal Rule of Criminal Procedure, determined that Defendant Gerardo Gonzalez Valencia, also known as "Lalo," "Flaco," "Silver," "Silverio," "Eduardo," and "Laline," (hereinafter "Defendant"), obtained \$341,000,000 in proceeds from the offense alleged in Count One of the Indictment, for which the Defendant has been convicted;

WHEREAS, the United States previously moved for entry of a Preliminary Order of Forfeiture, which would consist of a personal money judgment against the Defendant in the amount of a sum of money equal to the value of the property constituting, or derived from, any proceeds the Defendant obtained, directly or indirectly, as a result of the offense to which he was found guilty and requested that the amount of the judgment be calculated prior to sentencing;

WHEREAS, Defendant entered a plea of guilty on December 22, 2022, of the offense of conspiracy to distribute five kilograms or more of cocaine, for importation into the United States, in violation of to 21 U.S.C. §§ 959(a), 960, 963 and 970 in Count One of the Indictment;

WHEREAS, prior to sentencing on July 21, 2023, the United States requested a money judgment against the Defendant for \$341,000,000 and offered evidence in support of that amount;

WHEREAS, this Court calculated that a money judgment against Defendant in the amount of \$341,000,000.00 was supported by the evidence; and

WHEREAS, Rule 32.2(c)(1) provides that “no ancillary proceeding is required to the extent that the forfeiture consists of money judgment.”

NOW THEREFORE, IT IS HEREBY **ORDERED, ADJUDGED, AND DECREED** that Defendant shall forfeit to the United States the sum of \$341,000,000.00 pursuant to 21 U.S.C. §§ 853 and 970; it is further

ORDERED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order; it is further

ORDERED that pursuant to Rule 32.2(b)(3), this Order of Forfeiture shall become final as to the Defendant at the time of sentencing and shall be made part of the sentence and included in the judgment; it is further

ORDERED that the United States may, at any time, move pursuant to Rule 32.2(e) to amend this Order of Forfeiture to substitute property having a value not to exceed \$341,000,000.00 to satisfy the money judgment in whole or in part; and it is further

ORDERED that the Clerk of the Court shall forward four certified copies of this order to counsel for the United States.

SO ORDERED.

Date: July 21, 2023



Beryl A. Howell

BERYL A. HOWELL
United States District Judge